

**Blue Earth County Planning Commission Members:  
Kurt Anderson, Bill Anderson, Kip Bruender,  
Barry Jacques, Michael Riley and Joe Smentek.**

**AGENDA**

Blue Earth County Planning Commission  
Regular Meeting  
Wednesday, October 7, 2020 - 7:00 PM

Due to COVID-19, the County has suspended face-to-face meetings. You may join the meeting from your computer, tablet or smartphone at <https://global.gotomeeting.com/join/935031165>

A call-in option is available by calling 1-872-240-3412 and using access code 935-031-165.

*Anyone speaking to the Planning Commission shall state their name and address for the record.  
Thank you.*

- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES – September 2, 2020 Virtual Meeting**
- 3. APPROVAL OF AGENDA**
- 4. NEW BUSINESS**

**PC 21-20**

**Lindsey Quast** – Request for review and approval of an Interim Use Permit to operate a Reception/Banquet/Meeting facility. The property is zoned Agricultural and is located in the Southeast Quarter of the Southwest Quarter of Section 29, Decoria Township. The location address is 57480 169<sup>th</sup> Street, Good Thunder MN 56037.

**PC 23-20**

**Dale Koestler (owner) and Daniel Schoneck (applicant)** – Request to amend the official zoning map of Blue Earth County by rezoning Lot 1, Block 1 of the Koestler Subdivision located in Section 4, Beauford Township from Highway Business to Rural Townsite. The location address is 15851 State Hwy 22, Mapleton MN 56065

**PC 24-20**

**Lee and Kristine Bohrer** - Request for review and approval of an interim use permit to temporarily store up to 700 cubic yards of fill. The proposed fill will ultimately be used for backfilling around future structures and septic drainfield systems. The property is zoned Rural Townsite and is within the Urban Fringe Overlay District of the City of Mankato. The location includes Lots 15 and 16 of the Terrace View Subdivision in the southwest quarter of the northwest quarter of Section 4, Decoria Township.

*All agenda items will be heard by the County Board of Commissioners on, Tuesday, October 20, 2020.  
Due to COVID-19, the meeting will be Livestreamed beginning at 9:00 A.M.*

*The virtual meeting attendance/participate information will be available on the Blue Earth County website the afternoon of Thursday, October 15th and can be found here:*

<https://www.blueearthcountymn.gov/AgendaCenter>

**PC 25-20**

**Mitchell Abbas** – Request for review and approval of the Final Plat of Mitch Abbas Subdivision No. 3. The proposal is a replat of a portion of the Mitch Abbas Subdivision No. 2 and will consist of one Lot and one Outlot. The property is zoned agricultural and is located in the East Half of the Southeast Quarter of Section 17, Cambria Township.

**5. OTHER BUSINESS**

**a. Update/Review of County Board action item from the previous Planning Commission meeting:**

- **Medo Evangelical Lutheran Church and Lindeland Farms** – Transfer of the residential development right from the Southeast Quarter of the Northeast Quarter of Section 26 Medo Township to the Northwest Quarter of the Northwest Quarter of Section 25 Medo Township. **Approved**
- **Mitchell Abbas** - Request for review and approval of the Preliminary Plat of Mitch Abbas Subdivision No. 3. **Approved**
- **Crystal Valley Cooperative** – Request for review and approval of the final plat of Crystal Valley Subdivision. **Approved**
- **Cheryl Kietzer Reggie Reed and Lori S. Volz Revocable Living Trust** – Request for review and approval of the final plat of Shady Tree Estates No. 2. **Approved**
- **Blue Earth County** - Request for review and approval of amendments to the Blue Earth County Code of Ordinances Chapter 24 – Zoning to establish standard setbacks from County Ditches, County Tile and railroad rights-of-way. The proposed setback from County Ditches and County Tile is 75 feet for structures other than feedlots which have their own setback. The proposed

**6. ADJOURNMENT**

*All agenda items will be heard by the County Board of Commissioners on, Tuesday, October 20, 2020. Due to COVID-19, the meeting will be Livestreamed beginning at 9:00 A.M.*

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## **MINUTES**

### **Blue Earth County Planning Commission**

#### **Regular Meeting**

**Wednesday, September 2, 2020**

**7:00 p.m.**

#### **1. CALL TO ORDER**

The virtual meeting was called to order at 8:09 p.m. by Chairman Kurt Anderson. Planning Commission members participating in the virtual meeting included Kurt Anderson, Bill Anderson, Kip Bruender, Barry Jacques, Michael Riley and Joe Smentek. Staff members Garrett Rohlfiing and George Leary also participated.

#### **2. APPROVAL OF MINUTES**

Mr. Jacques made a motion to approve the minutes of the August 5th, 2020 virtual Planning Commission meeting. Mr. Smentek seconded the motion which carried unanimously following a roll call vote.

#### **3. APPROVAL OF AGENDA**

Mr. Leary indicated there was no change to the agenda.

#### **4. NEW BUSINESS**

##### **PC 17-20**

**Medo Evangelical Lutheran Church and Lindeland Farms** – Request for review and approval to transfer the residential development right from the Southeast Quarter of the Northeast Quarter of Section 26, Medo Township to the Northwest Quarter of the Northwest Quarter of Section 25, Medo Township. The properties involved are zoned agricultural. The location address is 14195 626th Ave., Mapleton MN 56065.

Mr. Rohlfiing presented the report.

Susan Splinter was linked into the meeting to represent the applicants. She had no further comment and there was no public comment.

There was little discussion by the Planning Commission.

Mr. Bruender made a motion to recommend approval of the request to the County Board based on the findings and conditions provided by staff.

Mr. Smentek seconded the motion. The motion carried unanimously following a roll call vote.

##### **PC 18-20**

**Mitchell Abbas** - Request for review and approval of the Preliminary Plat of Mitch Abbas Subdivision No. 3. The proposal is a replat of a portion of the Mitch Abbas Subdivision No. 2 and will consist of one lot and one outlot. The property is zoned agricultural and is located in the East Half of the Southeast Quarter of Section 17, Cambria Township and the West Half of the Southwest Quarter of Section 16, Cambria Township.

Mr. Leary presented the report.

Mitch and Carol Abbas were linked into the meeting. They had no further comment and there was no public comment.

There was little discussion by the Planning Commission.

Mr. Smentek made a motion to adopt the report and recommend approval of the request to the County Board with the conditions provided by staff.

Mr. Bill Anderson seconded the motion. The motion carried unanimously following a roll call vote.

**PC 19-20**

**Crystal Valley Cooperative** – Request for review and approval of the final plat of Crystal Valley Subdivision. The proposed subdivision plat will create two lots within the Highway Business Zoned District. The property is in the Northeast Quarter of the Northeast Quarter of Section 6, Garden City Township. The location address for the site is 19404 510<sup>th</sup> Ave., Lake Crystal MN 56055.

Mr. Leary presented the report.

Nate Myhra was linked into the meeting. He indicated he was the project manager of the proposal. There was no other public comment.

The Planning Commission expressed no issues with the request.

Mr. Bill Anderson indicated he was familiar with the property. He continued with a motion to adopt the proposed findings and to recommend approval of the request to the County Board with the conditions outlined by staff.

Mr. Smentek seconded the motion. The motion carried unanimously following a roll call vote.

**PC 20-20**

**Cheryl Kietzer, Reggie Reed and Lori S. Volz Revocable Living Trust** – Request for review and approval of the final plat of Shady Tree Estates No. 2. The request is a replat of Lot 4 Block 1 and Outlot A of Shady Tree Estates that will reconfigure Lot 4 Block 1 to include a portion of Outlot A. The property is zoned Rural Residence and is within the Shoreland Overlay of Lake Washington. The property is located in the Northeast Quarter of the Northeast Quarter of Section 19, Jamestown Township. The site address is 4112 Hillside Lane, Madison Lake, MN 56063.

Mr. Leary presented the report.

Jon Kietzer was linked into the meeting. He had no further comment and there was no public comment.

Mr. Kurt Anderson indicated the proposal was reasonable. Other members of the Planning Commission expressed no issues with the request.

Mr. Smentek made a motion to adopt the report and recommend approval of the request to the County Board with the conditions outlined by staff and to add a third condition stating that the vegetation on the outlot must be left in its natural condition and may only be altered in accordance with Sec. 14-113.- Shoreland alterations of the County Code.

Mr. Bill Anderson seconded the motion. The motion carried unanimously following a roll call vote.

### **PC 22-20**

**Blue Earth County** - Request for review and approval of amendments to the Blue Earth County Code of Ordinances Chapter 24 – Zoning to establish standard setbacks from County Ditches, County Tile and railroad rights-of-way. The proposed setback from County Ditches and County Tile is 75 feet for structures other than feedlots which have their own setback. The proposed setback from a railroad right-of-way is 50 feet for all structures.

Mr. Rohlfing presented the report.

There was no public comment and little discussion by the Planning Commission.

Mr. Bruender made a motion to recommend approval of the proposed amendments to the County Board.

Mr. Riley seconded the motion. The motion carried unanimously following a roll call vote.

## **5. OTHER BUSINESS**

### **a. Update/Review of County Board action item from the previous Planning Commission meeting:**

- **James & Susan Schull and SunVest Solar Inc.** – Request for review and approval of a Conditional Use Permit for a 1.454 MW Solar Energy System. The site is located in the Agricultural Zoning District in the Northwest Quarter of the Southwest Quarter of Section 11, Mapleton Township. **Approved**
- **Crystal Valley Cooperative** – Request for review and approval of the preliminary plat of Crystal Valley Subdivision. The proposed subdivision plat will create two lots within the Highway Business Zoned District. The property is in the Northeast Quarter of the Northeast Quarter of Section 6, Garden City Township. The location address for the site is 19404 510th Ave., Lake Crystal MN 56055. **Approved**
- **Cheryl Kietzer, Reggie Reed and Lori S. Volz Revocable Living Trust** – Request for review and approval of the preliminary plat of Shady Tree Estates No. 2. The request is a replat of Lot 4 Block 1 and Outlot A of Shady Tree Estates that will

reconfigure Lot 4 Block 1 to include a portion of Outlot A. The property is zoned Rural Residence and is within the Shoreland Overlay of Lake Washington. The property is located in the Northeast Quarter of the Northeast Quarter of Section 19, Jamestown Township. The site address is 4112 Hillside Lane, Madison Lake, MN 56063.

**Approved**

- **Lance & Erika Goettl** - Request for review and approval of a Conditional Use Permit to operate a fertilizer business. The use will primarily service the applicant's own needs, but fertilizer may also be sold to other farmers. The property is zoned agricultural and is in the Northwest Quarter of the Northwest Quarter of Section 4, Lincoln Township. The property address 48519 195th Street, Lake Crystal, MN 56055. **Approved**
- **Blue Earth County** - Request for review and approval of amendments to the Blue Earth County Code of Ordinances Chapter 24 – Zoning to establish standards for Interim Uses and Interim Use Permits. The ordinance amendment establishes the application criteria, public notification, public hearing, review and approval processes for Interim Use Permits. The amendments to Chapter 24 - Zoning also reclassifies several existing Conditional Uses as Interim Uses in all zoning districts. **Approved**
- **Blue Earth County** - Request for review and approval of amendments to the Blue Earth County Code of Ordinances Chapter 24 – Zoning to establish standards for self-service storage facilities. The ordinance amendment also adds self-service storage facilities as interim uses to the Agriculture, General Business, Highway Business, and Light Industry Zoning Districts. **Approved**
- **Riverbluff Lands Inc.** - Request for review and approval of an Interim Use Permit to allow construction of an 8,400 square foot storage building. The property is zoned agricultural and is in the South Half of the Northwest Quarter of Section 21, Cambria Township. The location address is 48460 239th Street, New Ulm, MN 56073. **Approved**

## 6. ADJOURNMENT

Mr. Smentek made a motion to adjourn the meeting. Mr. Bill Anderson seconded the motion. Following roll call vote, the meeting was adjourned at 9:08 p.m.

\_\_\_\_\_  
Planning Commission Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Commission Secretary

\_\_\_\_\_  
Date

### **Applicant & Property Owner**

Lindsey Quast  
57480 169<sup>th</sup> Street  
Good Thunder, MN 56037

### **Request and Location**

Request for review and approval of an Interim Use Permit to operate a Reception/Banquet/Meeting facility. The property is zoned Agricultural and is located in the Southeast Quarter of the Southwest Quarter of Section 29, Decoria Township. The property address is 57480 169<sup>th</sup> Street, Good Thunder MN.

### **Legal Description**

Part of the Southeast Quarter of the Southwest Quarter of Section 29, Decoria Township.

### **Zoning**

The property is zoned Agricultural.

### **General Site Description and Project Proposal**

The property includes 11.74 acres consisting of the applicant's dwelling and four accessory buildings, one of which will be used for the reception/banquet facility. The 36' x 72' barn located on the east side of the property will be used for the reception/banquet facility.

The business plan indicates the target market will include small weddings, birthday celebrations, corporate events, small graduation parties, bar and bat mitzvahs, engagement parties, anniversary events, baptisms and field trip opportunities for schools and other educational groups. The business plan indicates portable restrooms will be set up on the northeast side of the barn with ADA access.

The applicant has indicated she is responsible of removal of the trash associated with the proposal and will also work with the caterers for their portion of the trash removal. They have 6 to 8 large-capacity trash and recycling bins dedicated to the proposed use.

The applicants have provided a parking plan. The submitted business plan states they have ample space for all vehicles. See Attachment A-3 and A-4

### **Accessibility Review and State Fire Code Review**

A Certified Building Official reviewed the architectural plans and conducted a site inspection. Following his review of the plan and subsequent site inspection, the building official submitted a letter indicating the plans submitted by the architect were detailed and acceptable.

The Mapleton Fire Chief provided an onsite inspection of the property and used the architectural drawings and the occupancy checklist from the State Fire Marshall Division as a guide for his inspection. His inspection letter indicated he found no issue with the project as designed in the provided drawing and that he would return prior to the first occupancy to verify the renovation. His letter requested to see the written Severe Weather Response Plan and the plan/guidance that will be given to vendors regarding open flame on or before the date of final inspection. Staff has

included conditions requiring post-renovation inspections by the Building Official and Mapleton Fire Chief prior to the first occupancy.

**Project Outcome**

If approved, the applicant will operate a reception/banquet/meeting facility within the standards outlined in the Zoning Ordinance.

**Land Use Plan**

The Land Use Plan includes an Agricultural Goal that states: Blue Earth County will maintain its agricultural areas by limiting new development to reduce conflicts between farm and non-farm uses...

The Land Use Plan includes a Development Goal that states: The County will support orderly growth and limit development of uses that may eventually require the extension of urban utilities outside of municipal areas.

The Land Use Plan includes a Transportation Goal that states: Land use proposals as they relate to road construction, access points, and service road requirements will be tied to the County's transportation planning efforts and will be reviewed by the applicable road authority.

**Existing Land Use within ¼ Mile**

**North:** Cropland

**South:** CSAH 16 and cropland

**East:** Cropland

**West:** Woodland with a wooded ravine system and cropland

**Access**

No change in access is proposed. The current access is to and from CSAH 16.

**Topography**

The site of the proposed use is gently rolling.

**Floodplain**

There is no mapped floodplain area within one mile of the project site.

**Shoreland**

There are no mapped shoreland areas within one mile of the project site.

**Township Review**

The applicants met with the Decoria Township Board at their September 8<sup>th</sup> meeting. An email from the township clerk indicated no issue from the Township.

### **Blue Earth County Public Works Department Review**

Staff received an email from Ryan Thilges, Blue Earth County Engineer / Public Works Director indicating no issue with the proposed use.

### **Environmental Health Staff Review**

See Attachment A-5

### **Parking Review**

The applicants have indicated there is adequate off-street parking. The transportation management plan submitted by the applicant indicates a primary parking area 50 spaces. Specific parking standards for reception facilities are not included in the County Ordinance. As a comparison, staff used the requirements listed in the ordinance for restaurant, café, nightclub, tavern or bar which requires one parking space for each four seats based on design capacity, plus one parking space for every two employees. With an occupancy of 99 people, 25 parking spaces are required. Therefore, it appears there is adequate room for off-street parking.

## **APPLICABLE SECTIONS OF THE CODE OF ORDINANCES**

The primary Sections of the Ordinance related to this request are listed below. A complete list of the County Ordinances that are applicable to this request have been included with the report.

See Attachment A-6

### **Sec. 24-111 Purpose.**

(a) *Preservation of agriculture land.* The intent of this A district is to allow extensive areas of the county to be preserved for agricultural related uses.

(b) *Agriculture operations.* Through the adoption of this subsection, the Board of Commissioners is expressing its intent to enhance and encourage agricultural operations within the boundaries of the County. The County will view the agriculture district as a zone in which land is used for commercial agricultural production. Owners of property, residents, other users of property in the agriculture zone, and neighboring properties adjacent to the agriculture zone may be subjected to inconvenience or discomfort arising from normal and accepted agricultural practices and operations including, but not limited to; noise, odors, dust, operation of aircraft and late night operation of farm machinery, the storage and application of manure, fertilizers, soil amendments, herbicides and pesticides associated with normal agricultural operations. Owners of property, residents, other users of property in the agriculture zone, and neighboring properties adjacent to the agriculture zone, should be prepared to accept such inconveniences or discomfort from normal operations, and are hereby put on official notice, pursuant to Minn. Stats. § 561.19, that this declaration may prevent them from obtaining a legal judgment against such normal operations.

### **Sec. 24-112 Uses.**

(c) *Interim uses.* The following uses may be allowed in the A district as a conditional use as regulated in article II of this chapter.

(16) Reception/Banquet/Meeting Halls/Retreat Centers or Facilities as regulated in Sec. 24-331.

**Sec 24-331 Reception/Banquet/Meeting Halls/Retreat Centers or Facilities**

This subsection addresses the performance standards for the establishment and operation of reception/banquet/meeting halls/retreat centers or facilities.

- (a) Information shall be submitted to the Planning Agency in the form of a business/operations plan. Said plan shall include information regarding the services offered, types of facilities, sanitary sewer and waste disposal facilities, hours of operation and other issues relevant to the proposed use.
- (b) Total maximum floor space area shall be no larger than 10,000 square feet.
- (c) Retail Sales areas may include up to 10% of the floor space of the building, but may not exceed 1,000 square feet.
- (d) Meal preparation areas must be licensed and approved by the Minnesota Department of Health.
- (e) Bars, including lounges, nightclubs, on-sale liquor establishments, restaurants, cafés or taverns are prohibited.
- (f) Lodging, camping and overnight accommodations are prohibited.
- (g) The offering of food and alcohol shall only be provided by offsite catering services.
- (h) Discharging of firearms is prohibited.
- (i) Allowable signage shall be limited to an illuminated 32 square foot sign located on the property.
- (j) There shall be no indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line.
- (k) Sites not serviced by an approved community water and sewage system must comply with county, state and federal waste disposal requirements.
- (l) A transportation management plan shall be submitted to address off-street parking, the mitigation of overflow parking, traffic circulation, traffic control and the impact of the facility on surrounding roadways per Sec. 24-310.
- (m) A review by the Planning Agency of the conditional use permit requirements will be mandatory within 30 days of any ownership change of property or lease agreement.
- (n) Any proposed change in operation or services offered shall first receive approval of an updated conditional use permit.

**Proposed Findings of Facts**

After careful review of the project and all associated documents, staff has developed the following opinions for this proposal:

- a) That the proposed use conforms with the county land use plan.  
*The Land Use Plan includes and Agricultural Goal that states: Blue Earth County will maintain its agricultural areas by limiting new development to reduce conflicts between farm and non-farm uses... The applicants have lived at this location for ten years and have ties to production agriculture. In addition, the proposed use will not create additional setback*

*requirements to routine agricultural practices. Therefore, it appears the proposed use is unlikely to create conflicts with area farm uses.*

*The Land Use Plan includes a Development Goal that states: The County will support orderly growth and limit development of uses that may eventually require the extension of urban utilities outside of municipal areas. The proposed use will utilize porta potties or specially designed restroom trailers. Therefore, it appears unlikely that urban utilities will be necessary.*

*The Land Use Plan includes a Transportation Goal that states: Land use proposals as they relate to road construction, access points, and service road requirements will be tied to the County's transportation planning efforts and will be reviewed by the applicable road authority. The Blue Earth County Public Works Department indicated no objection to the request.*

- b) The demonstrated need for the proposed use.  
*The applicant has indicated there is a need for this type of service in the area and that people have expressed an interest in renting it for future events. The applicant believes the business will fill a void in the area and therefore has demonstrated a need for the proposed plan.*
- c) That the proposed use will not degrade the water quality of the county.  
*With proper use and maintenance of the intended restroom facilities and proper garbage storage and removal, the proposed use should not degrade the water quality of the county.*
- d) That the proposed use will not adversely increase the quantity of water runoff.  
*No new construction is proposed and there are no plans for adding graveled parking areas. Therefore, the proposed use should not adversely increase the quantity of water runoff.*
- e) That soil conditions are adequate to accommodate the proposed use.  
*No additional construction or additional impervious surface area is proposed. A sod base has been provided for the parking areas. Therefore, it appears soil conditions are adequate.*
- f) That the proposed use does not create a potential pollution hazard.  
*With proper use and maintenance of the intended restroom facilities and proper garbage storage and removal, the proposed use should not create a potential pollution hazard.*
- g) That adequate utility, access roads, drainage and other necessary facilities have been or are being provided.  
*These items have already been provided for.*
- h) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.  
*The applicants have provided areas for off-street parking. It appears there is adequate space to provide the required off-street parking for the proposed use.*

- i) That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.  
*The Blue Earth County Public Works Department has reviewed the proposal and indicated no objection. It appears traffic issues can be avoided.*
- j) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.  
*The predominant use of the area is agricultural with one neighboring residence within one quarter mile. Provided the applicants adhere to the required performance standards of the County ordinance and other State regulations, it appears that the proposed use is unlikely to be injurious to the use and enjoyment of the property in the immediate vicinity.*
- k) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.  
*The proposed business use will not change setbacks to developed or underdeveloped properties. The establishment of the proposed use is unlikely to negatively impact properties if they were to be developed in the future.*
- l) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.  
*In staff's opinion there will not be offensive noise or odor to the nearby properties. Provided the property owner adheres to the required performance standards of the ordinance, it appears as though the proposed use is unlikely to create a nuisance for neighboring properties.*
- m) That the density of proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable zoning district.  
*This standard does not apply to this proposal.*
- n) That the intensity of proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district.  
*There is no other business like this in the immediate area. The intensity of the purposed use is low and should not have an impact on the surrounding uses. The approval of this conditional use permit meets the allowable intensity in the Agricultural District.*

- o) That site-specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals and general welfare.

*The protection of the public's health, safety, morals and general welfare have been addressed through the required performance standards for this type of use, the state regulations, and in the conditions included below.*

### **Recommendations**

Staff recommends **APPROVAL** of the request to operate a Reception Hall/Meeting Facility with the following conditions:

1. That the proposed reception facility shall comply with the standards established in Section 24-331 of the County Zoning Ordinance that apply to Reception/Banquet/Meeting Halls/Retreat Centers or Facilities.
2. That the proposed reception facility shall comply with all State and Federal regulations and shall obtain any applicable licenses required by such regulations.
3. Prior to opening the facility, a report shall be submitted by a certified building official indicating the renovated facility meets the requirements of State Building Code.
4. Prior to opening the facility, a report shall be submitted by the Mapleton Fire Chief indicating the renovated facility meets the requirements of the State Fire Marshall Division.
5. Adequate restroom facilities, including facilities that meet ADA requirements, shall be provided for all associated events.
6. Event parking shall be exclusively limited to off-street parking.
7. Garbage/trash shall be removed regularly from the site. If the garbage/trash is taken to the Decoria Township pickup site, it shall comply with the regulations established by the township.
8. The use shall be limited to the proposal outlined in the applicant's business plan. Any change in use or the services offered shall be reviewed and approved by the Planning Agency prior to implementation.

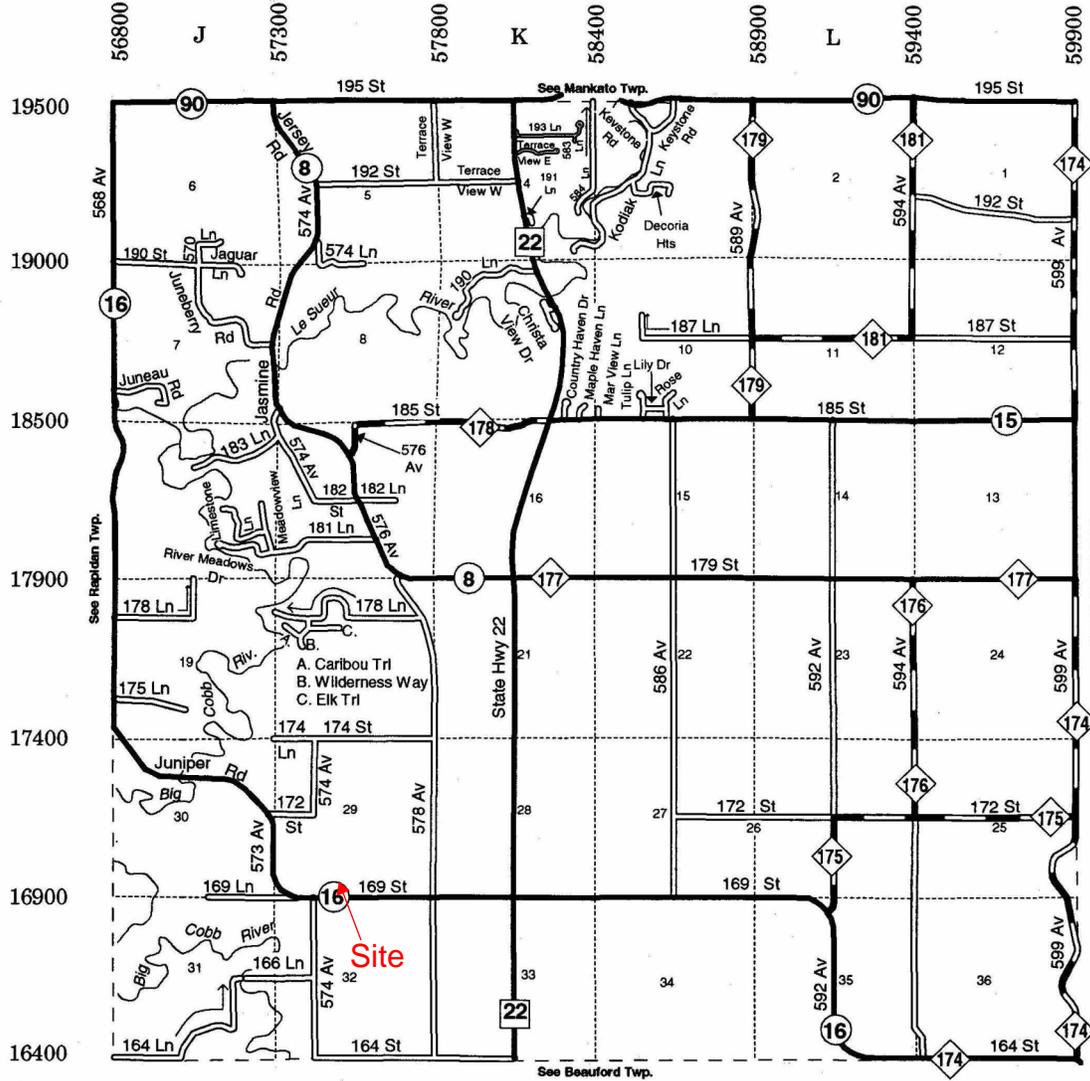
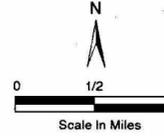
### **Attachments**

- A-1 General Location Map
- A-2 Site Plan
- A-3 Proposed Site Plan
- A-4 Business Proposal
- A-5 Environmental Health Comments
- A-6 Applicable Sections from the County Ordinances

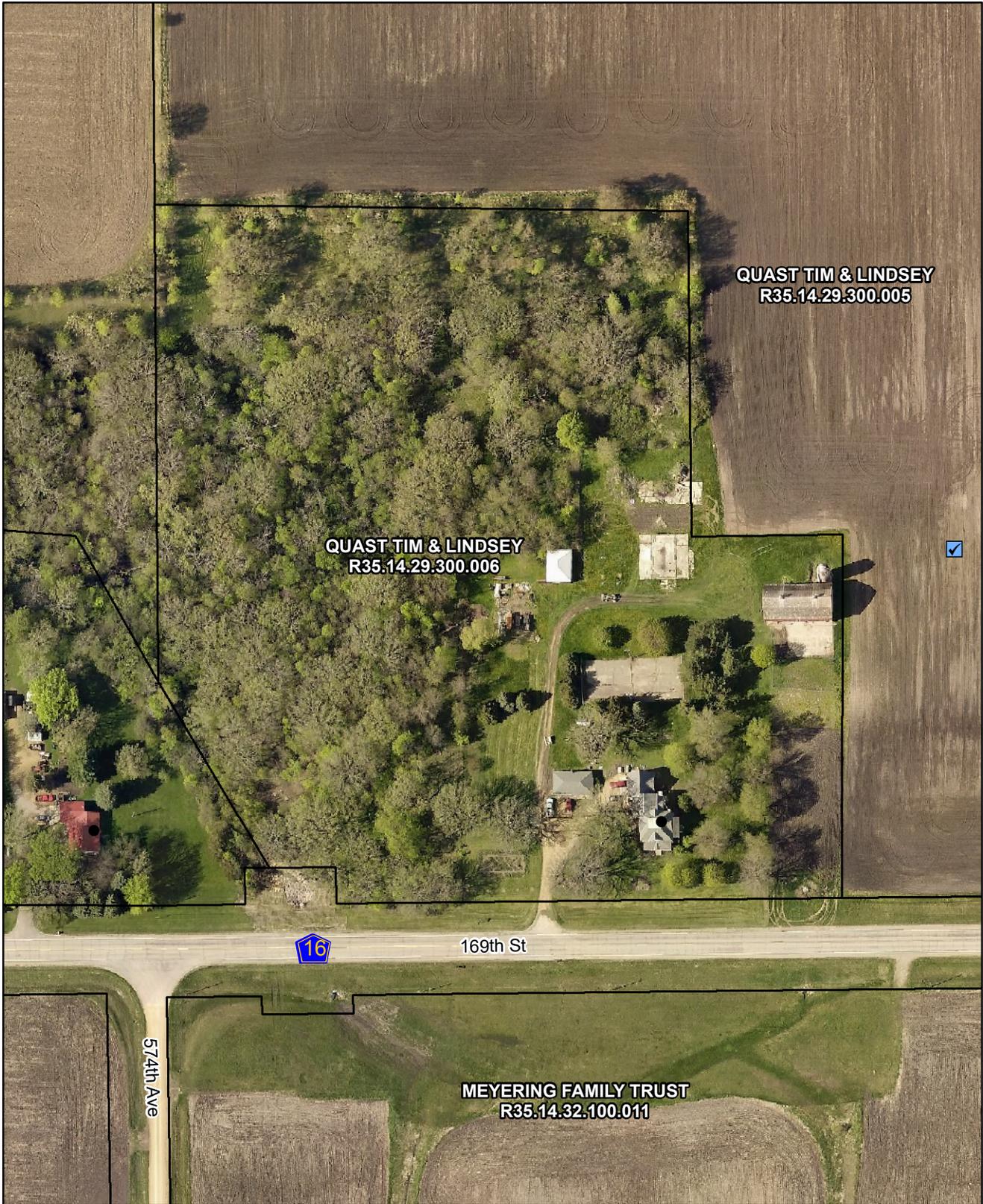
**Attachment A-1  
General Location Map**

# Decoria

**T 107 N - R 26 W**

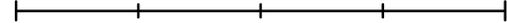


	U.S. Highway		Township Road
	State Highway		Railroad
	County State Aid Highway		Section Line
	County Road		Township Boundary



 Parcel



0  400 Feet

*Disclaimer: Blue Earth County Property & Environmental Resources Department may provide information to the public "as is" without warranty of any kind, expressed or implied, regardless of its format or the means of its transmission. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability of the data for any purpose. In no event will Blue Earth County or its employees be liable to anyone for damages arising from the use of the property data. The user of data assumes responsibility for the installation and use of the results obtained from the data. If you have questions about this map please contact the Property & Environmental Resources Office at (507) 304-4381.*

# CONDITIONAL USE PERMIT PROPOSAL - SEC 24-310 Transportation Management Plan



**TRAFFIC FLOW** 

**PARKING:**  
PARKING ACCOMODATION FOR UP TO 99 GUESTS. Minimum 50 spots which is approx .375 acres or 6,100 sq feet. 100' x 60' would be the minimum size lot required.

1. Off-street Parking - All parking with take place on our property
2. The Mitigation of Overflow Parking - we have multiple "lots" to accomodate parking.
3. Traffic Circulation - Traffic will enter from main entrance and use the driveway to pull into lot.
4. Traffic Control - Ballard Creek's Owner + staff will faciliate parking and traffic control before, during and after events.
5. The Impact of the Facility on Surrounding Roadways - very minimal to no impact will occur on surroundngn roadways as there is more than adeqaute parking and events will be kept under 99.



# **THE BARN AT BALLARD CREEK CONDITIONAL USE PERMIT APPLICATION DOCUMENTS**

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**BUSINESS PLAN**  
For Lindsey Quast  
The Barn at Ballard Creek

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**EXECUTIVE SUMMARY:**

Company Name: Ballard Creek Barn, LLC  
(The Barn at Ballard Creek)

The Barn at Ballard Creek is being established to provide an uncommon small event venue in scenic Good Thunder, MN, reflecting the spirit and character of the region.

The Barn accommodates up to 99. The Barn is equipped with electricity, portable heating, permanent hutches, buffet tables, storage and seating as well as standing areas.

Owner: Lindsey Quast

Address: 57480 169<sup>th</sup> Street, Good Thunder, MN

Location/Description: Rural

Operating hours: Weekends (May - October), or by special arrangement, Fridays from 9am – 6pm and Saturday's from 9am-10pm

**OVERVIEW and GUIDING PRINCIPLES:**

Finding a rustic, historical venue in a peaceful setting isn't always easy. We hope to provide a beautiful retreat for small events including small weddings, birthday celebrations, corporate events, small graduation parties, bar and bat mitzvahs, engagement parties, anniversary events and baptisms as well as field trip opportunities for schools and other educational groups. We are so proud of the history of our farm and the pasture raised animals that we have grown to appreciate and love so much!

**COMMUNITY USE and CHARITABLE VISION:**

Our family deeply values education and sustainability, and comes from a long history of philanthropy as well as an enduring respect for the environment. Accordingly, part of the Barn's vision for future use includes:

*1. Community education.*

In the future, once the Barn is commercially established, we plan to do community educational outreach to help introduce children to local, sustainable farming and the

responsible use of local resources as well as tours of our historical barn and discuss old building methods without modern day technology.

The vision for this kind of education includes opening the Barn to school groups and educators, in order to provide educational enrichment for local student populations.

## *2. Community support and partnership.*

The Barn would like, within five to ten years of its establishment, to give back to the local community by offering partnerships through gifts of scholarship support, student internships, local educational talks, and similar.

### **AMENITIES:**

Outdoor and indoor lighting  
Parking accommodation for all guests and vendors  
On site assistance with events

### **ANTICIPATED FACILITY USAGE FEES:**

Events under 50: \$100/hour

All Day Events 51-99: \$2,500

### **SEASONAL AVAILABILITY for THE BARN AT BALLARD CREEK:**

Memorial Day Weekend -October Harvest, annually

### **ANTICIPATED 2020 BUDGET:**

Anticipated completion budget is \$21,500

#### **Completed and Paid for:**

- Barn roof (Finished in 2017 and approx. Cost \$15,000)
- Barn renovations – new flooring and door (Finished and approx. Cost \$12,000)
- Electrical systems and lighting – Finished \$4,100

#### **To be Completed:**

- Permit fees: \$350
- Architectural Plans: \$1,250
- ADA Compliance Inspection: \$500
- Additional Exit door and stairs – Approximate Cost \$1,000
- Exit Signs and Smoke Detectors – Approximate Cost \$2,000
- Landscaping Approx. Cost - \$3,000
- Painting Approx. \$500

**ANTICIPATED INCOME/INCOME PROJECTIONS:**

- Unknown until permit completed
- If permit is approved, potential of \$2,500 profit per large event



**strangedesign**

530 n riverfront dr. mankato mn 56001  
phone 507.351.5340  
adam@mystrangedesign.com

PROJECT TITLE:

**THE BARN AT  
BALLARD CREEK**

57480 159th St

**GOOD THUNDER,  
MINNESOTA  
56037**

**RDS ARCHITECTS**

4900 HWY 169 SUITE 303  
NEW HOPE MN. 55428  
612-810-9628  
763-550-2919 fax

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

*Richard D. Storlien*  
Name: Richard D. Storlien  
Reg. No. 21258  
Date: 6/5/20

GENERAL CONTRACTOR:



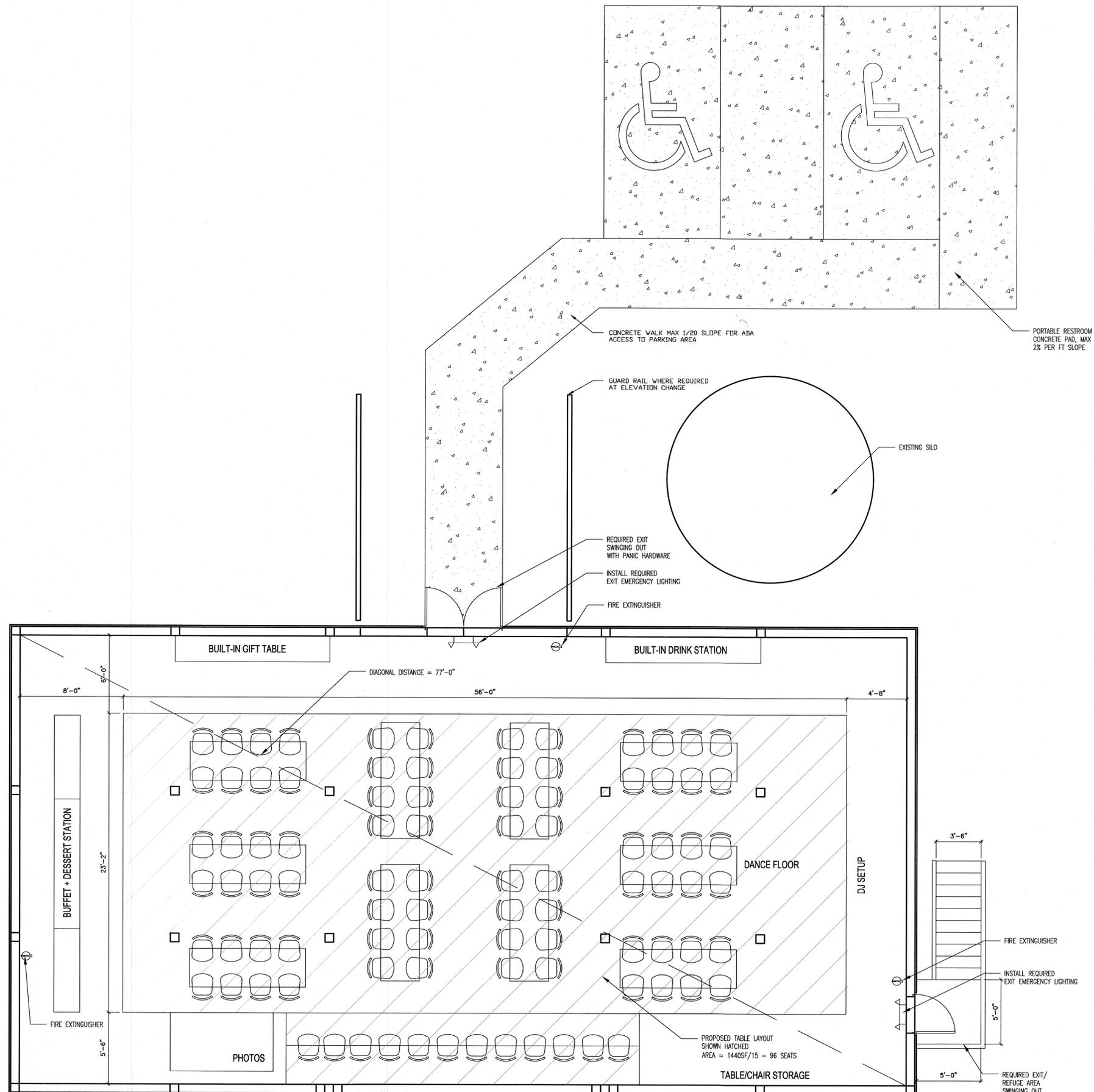
No.	SUBMISSIONS & REVISIONS	Date
1	DESIGN DOCUMENTS	06-05-2020

DISCLAIMER - Project is design build. Due to the lack of "on site" consultation & supervision, and control over the actual construction process, and because of the various local building code requirements & weather conditions, the drafter/designer/architect ASSUMES NO RESPONSIBILITY in the use of these plans for any damages. This includes structural failures due to any deficiencies, omissions, or errors in the design or blueprints. It is recommended you consult with a local building official and/or inspector prior to the start of construction. General Contractor shall verify all existing dimensions and field conditions prior to ordering or fabricating any materials. Notify designer/architect if conditions, materials, sizes or dimensions are different from what is shown on documents. Cross reference plans with all other consultant sets. All construction materials shall be installed in accordance with manufacturers current specifications and industry standards. All construction components shall meet adopted code requirements.

PROJ. NO.: C2020  
DATE: 05-22-2020  
DRAWN BY: AMS  
CHECKED BY:

FLOOR PLAN

**A1**



**SITE NOTES:**

- PARKING AREA TO INCLUDE MIN (1) ADA STALL PER 25 CARS
- PROVIDE ACCESSIBLE ROUTE FROM PARKING AREA TO BUILDING AND RESTROOMS

**BUILDING CODE REVIEW** BASED ON 2012 IBC  
BASED ON 2015 MN BUILDING CODE

PROJECT IS FOR CONVERSION OF BARN TO EVENT CENTER.  
NO FIRE SPRINKLER SYSTEM INSTALLED  
EXISTING BUILDING TYPE VB  
BUILDING 1 STORY WITH A BASEMENT THAT CAN ONLY BE ACCESSED FROM OUTSIDE THE EVENT SPACE

NON SEPARATED OCCUPANCY  
ALLOWABLE BUILDING AREA VB (A-2 OCC. MOST RESTRICTIVE) 6,000 SQ. FT. 1-STORY ABOVE GRADE

EXISTING BUILDING AREA 2,380 SQ. FT. USABLE BUILDING AREA  
A-2 (RECEPTION AREA) 1440 SF (FIRST FLOOR)/15 = 96 OCCUPANTS  
EXITS REQUIRED (2) PER FLOOR

SUPPLEMENTAL FIRE DETECTION SYSTEM WILL BE INSTALLED

**PLUMBING FIXTURE COUNT**

OCCUPANT LOAD  
A-2 OCC. LOAD MAX = 99 OCCUPANTS

FIXTURES REQ'D BY CODE  
A-2 OCC. (EVENT CENTER) REQUIRES 1 TOILET/75  
50 MEN/75 = 1 REQ'D  
50 WOMEN/75 = 1 REQ'D  
TOILETS REQ'D (2) TOILETS PROVIDED (3)

A-2 OCC. (EVENT CENTER) REQUIRES 1 SINK/200 OCC.  
99 OCCUPANTS/200 = 1 SINKS REQUIRED  
SINKS REQ'D (1) SINKS PROVIDED (2)

\* BUILDING IS SEASONAL USE EVENT CENTER, TOILET FACILITIES ARE PROVIDED VIA PORTABLE RESTROOM UNIT WITH SINK FOR EACH UNIT. MINIMUM ONE UNIT SHALL BE ADA ACCESSIBLE

\* SIGN POSTED - MAX BUILDING OCCUPANT LOAD 99

1 MAIN FLOOR PLAN 2380 SF  
SCALE 1/4" = 1'-0"



*“Community Development Partners”*

\*Community Development Services  
\*Building Code Review  
\*Home & Building Inspections  
\*Zoning Administration  
\*HUD Inspections & Reports

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*P.O. Box 22, Arlington, MN*

August 6, 2020

Lindsey Quast  
57480 159<sup>th</sup> Street  
Good Thunder, MN 56037

Dear Lindsey:

I am writing this letter regarding a proposed Assembly Occupancy, located at 57480 159<sup>th</sup> Street, Good Thunder, MN. A site visit was conducted on July 23<sup>rd</sup>, 2020. Our objective was to review the plans and assess the site, (including the new occupancy and its relationship to existing buildings), relative to meeting the requirements and provisions of the 2015 Minnesota State Building Code.

Plans were signed and dated by State of Minnesota Licensed Professional. The Architect of Record submitted a detailed and acceptable Building Code Summary. Future Heating, Ventilation and Air Conditioning Load Analysis will need to be submitted if installation of a HVAC system is installed. Structural drawings will be submitted by a Licensed Professional Engineer with the State of Minnesota.

If electrical and/or plumbing installations are to be included, all State of Minnesota electrical and plumbing inspections will have to be completed by the Authority Having Jurisdiction. The supplemental smoke/fire detection system will need to be tested, and the building must meet accessibility requirements as per our assessment.

In concluding, as per our Code Analysis, the proposed project is substantially compliant relative to meeting the requirements and provisions of the 2015 Minnesota State Building Code.

Thank you,

Darin Haslip  
Certified Building Official  
HUD Inspector #V496

Cell: 507.351.4599

Cell 2: 320.226.5189  
Email: dri101@live.com

Fax: 651.846.6034



## Mapleton Fire Department

Ben Froehlich, Chief

Box 473

Mapleton, MN 56065

11 July 2020

To whom it may concern,

This letter is to inform you that I performed an onsite inspection of the property at 57480 159th Street, Good Thunder, MN 56037 on Wednesday July 8th using guidance from the State Fire Marshall Division of the Minnesota Department of Public Safety.

I used the provided architectural drawings and the occupancy checklist from the State Fire Marshall Division as a guide for my inspection. I found no issue with the project as designed in the provided drawings. The property is currently in renovation and I advised that I will come back before first occupancy to verify the renovation.

At the time of or before the final inspection, I would like to see the written Severe Weather Response Plan for the property and the plan/guidance that will be given to vendors regarding open flame.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Ben Froehlich", is written over a faint, illegible printed name.

Benjamin Froehlich  
Chief  
Mapleton Fire Department

## **The Barn at Ballard Creek: SEVERE WEATHER RESPONSE PLAN**

1. If severe weather such as extreme lightening, thunder, hail or wind is predicted for the date of event, the event will be postponed and rescheduled at no additional cost to the renter.
2. If there is an unpredicted severe weather watch, the emergency plan is as follows:
  - a. One designated person from the event party to monitor weather.
  - b. If unexpected severe weather warnings are issued by Blue Earth County during the rental period, the following will be announced made by a representative from Ballard Creek: "Severe Weather Watch is in effect for our area. We are monitoring weather conditions and the event may be suspended/canceled/postponed on short notice. Please be prepared to leave the area and take cover as quickly as possible.

### **90 Minutes Prior to ALL Events the following will be completed by Ballard Creek:**

1. Check the panic hardware (push-bars) on all exit doors to assure smooth operation.
2. Open all exit doors to check the door swing, and remove any obstructions.
3. Check to make sure that any handicapped accessible entrances are unlocked and unobstructed.
4. Confirm that fire doors must **never** be blocked or chained shut.
5. Confirm that **exit signs** are operating properly.
6. Confirm that emergency lights are operational.
7. Confirm all fire extinguishers are available for use.

### **PLAN/GUIDELINES for vendors regarding OPEN FLAME usage:**

1. NO open flames may be used inside the barn.
  - a. There is an exemption for licensed caterers to use gel fuel cans for food warming.
2. NO smoking is permitted in the barn. Designated area will be available a minimum of 20' from the barn.
3. While chafing dishes are allowed for food warming, no cooking/food preparation is allowed in the barn. All cooking must be done off site at Licensed Caterer's location.
4. Chafing dishes: Sterno type gel fuel may be used for food warming at events, as long as the caterer follows all established safety guidelines.
5. Safe Disposal: All waste from food prep, portable heat and ash trays must be removed by the renters or caterers from the property by the end of the event. Failure to do so will result in \$150 deduction from your deposit.

# **WEDDING BARN AND THE BUILDING CODE from the Minnesota Department of Labor and Industry**

## **1. Capacity 99: Determined by Strange Designs and RDS Architects**

- See Ballard Creek Barn – FLR A1 Document
- 2 exits required for up to 500 guests
  - i. Both exits will include panic hardware, lighted Exit Signs and Emergency lighting
- 1 Mounted Fire Extinguisher Required – COMPLETE
  - i. We will have an additional fire extinguisher as an extra safety measure
  - ii. No smoking in or near the building
  - iii. No open flames will be permitted in the barn
  - iv. No cooking will take place in the barn

## **2. ADA ACCESSIBILITY – in Progress**

- 1 main exit to be ADA compliant
- Ramp to main entrance
- Hard surface parking
- 1 story building
- Restrooms will have hard surface access

## **3. Dirty Water Disposal**

- Any mop/dirty water will be disposed in the main house garage sink only by Lindsey Quast (owner)
- Waste water from the restrooms will be handled by the rental company offsite

## **4. Emergency Weather/Tornado Plan**

- If there are any expected severe weather warnings or tornado warnings before an event, we will have the event cancelled immediately and rescheduled at no additional charge

## **5. Parking**

- Parking will take place on the West Lawns immediately when you enter the property and continue to the central parking lot as needed.
- ADA Parking will be by the barn with hard surface paths to both the restroom and main entrance of the barn

## **6. Traffic Flow to and from the property**

- Traffic will enter and exit from the main entrance on 169<sup>th</sup> Street

**7. Bathroom Usage/Set up**

- Portable restrooms will be set up on the North East Side of the barn with ADA access to them as well as to the barn
- ADA Compliant restrooms will be accessible

**8. FIRE CODE + SAFETY**

- The barn has been inspected by the fire chief of the Mapleton Minnesota Fire Department and a final inspection will be completed before operations begin

## **Sec 24-331 Reception/Banquet/Meeting Halls/Retreat Centers or Facilities**

This subsection addresses the performance standards for the establishment and operation of reception/banquet/meeting halls/retreat centers or facilities.

**Complete** (a) Information shall be submitted to the Planning Agency in the form of a business/operations plan. Said plan shall include information regarding the services offered, types of facilities, sanitary sewer and waste disposal facilities, hours of operation and other issues relevant to the proposed use. **(Documents BC Business Plan Details and C.U.P. Details)**

**Complete** (b) Total maximum floor space area shall be no larger than 10,000 square feet.

**NA** (c) Retail Sales areas may include up to 10% of the floor space of the building, but may not exceed 1,000 square feet.

**ALL MEAL PREP WILL BE DONE OFF SITE by a LICENSED CATERER** (d) Meal preparation areas must be licensed and approved by the Minnesota Department of Health.

**NA** (e) Bars, including lounges, nightclubs, on-sale liquor establishments, restaurants, cafés or taverns are prohibited.

**Complete** (f) Lodging, camping and overnight accommodations are prohibited.

**Complete** (g) The offering of food and alcohol shall only be provided by offsite catering services.

**Complete** (h) Discharging of firearms is prohibited.

**Complete** (i) Allowable signage shall be limited to an illuminated 32 square foot sign located on the property.

**Complete** (j) There shall be no indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line.

**Complete – waste water from restrooms will be disposed of offsite by rental company and any mop water will be disposed in the garage sink of house.** (k) Sites not serviced by an approved community water and sewage system must comply with county, state and federal waste disposal requirements.

**COMPLETE – See Attached Plan** (l) A transportation management plan shall be submitted to address off-street parking, the mitigation of overflow parking, traffic circulation, traffic control and the impact of the facility on surrounding roadways per Sec. 24-310.

**NA** (m) A review by the Planning Agency of the conditional use permit requirements will be mandatory within 30 days of any ownership change of property or lease agreement.

Any proposed change in operation or services offered shall first receive approval of an updated conditional use permit.

**Sec. 24-310 Parking and loading regulations. (\*\*\*Your property is zoned agricultural, so the sections below that address the A district is applicable to your site.\*\*\*)**

**Complete** (a) *Generally.* All parking hereafter constructed or maintained shall conform with the provisions of this section and any other ordinances or regulations of the county.

**Complete** (b) *Minimum parking space size regulations.* Each space shall contain a minimum area of not less than 300 square feet, including access drives; a width of not less than nine (9) feet; and a depth of not less than 19 feet. All loading spaces shall be sufficient to meet the requirements of each use and shall provide adequate space for storage and maneuvering of the vehicles they are designed to serve.

**NA** (c) *Reduction and use of parking and loading space.* On-site parking facilities existing on June 8, 1996, shall not subsequently be reduced to an amount less than that required under this chapter for a similar new building or use. On-site parking facilities provided to comply with the provisions of this chapter shall not subsequently be reduced below the requirements of this chapter. Such required parking or loading space shall not be used for storage of goods or for storage of vehicles that are inoperable or for sale or rent.

**WE HAVE MULTIPLE PARKING LOTS AVAILABLE THAT MEET PARKING SPACE REQUIREMENTS** (d) *Computing parking requirements.* In computing the number of such parking spaces required, the following rules shall govern:

- (1) Floor space shall mean the gross floor area of the specific use.
- (2) Where fractional spaces result, the parking spaces required shall be construed to be the next whole number.
- (3) The parking space requirement for a use not specifically mentioned in this section shall be the same as required for a use of similar nature, as determined by the Board of Commissioners and the County Planning Commission.

**NA** (e) *Yards.* GB, HB, LI or HI districts, no parking or loading space shall be located within 10 feet of any property line that abuts any RR or RT districts.

(f) *Screening and landscaping.* All open automobile parking areas containing more than four (4) parking spaces shall be effectively screened from view on each side adjoining or fronting on any property situated in RR or RT districts by a wall, fence or densely planted compact hedge not less than four (4) feet in height. The screening and landscaping plan shall show plant materials, bed location and other necessary information. The Board of Commissioners may

waive this requirement if the closest point of such parking area is at least 75 feet from the nearest residential property line.

**Complete** (g) *Access.* Parking and loading space shall have access from a public right-of-way. The number and width of driveways shall be located to minimize traffic congestion and abnormal traffic hazard. Access to business or industrial uses across property in RR and RT districts is prohibited.

**NA** (h) *Location of parking facilities.* Required off-street parking space shall be provided on the same lot as the principal building or use, except as provided in subsection (i) of this section.

**NA** (i) *Combined facilities.* Combined or joint parking facilities may be provided for one (1) or more buildings or uses in the GB and HB districts and in LI and HI districts, provided that the total number of spaces shall equal the sum of the requirements for each use.

**NA** (j) *Construction and maintenance.* In GB and HB districts and in LI and HI districts, parking areas and access drives shall be covered with a dustfree, all-weather surface with proper surface drainage, as required by the County Engineer. The operator of the principal building or use shall maintain parking and loading areas, access drives and yard areas in a slightly and well-kept condition.

**Complete** (k) *Lighting.* Any lighting used to illuminate off-street parking areas shall be directed away from residential properties and public rights-of-way so as not to create a nuisance.

**NA** (l) *Site plan.* All plans submitted for a land development permits requiring more than four (4) parking spaces or loading facilities shall include a site plan approved by the Planning Agency. The site plan shall be a part of the construction permit and occupancy and/or operations may not commence until all items shown on the site plan for parking and loading facilities have been completed. The site plan should include at least the following:

- (1) Land use district, setbacks and statement of use.
- (2) North point and scale.
- (3) All adjacent rights-of-way.
- (4) Entire ownership of lot or parcel being developed.
- (5) Completely dimensioned parking layouts.
- (6) Emergency vehicle access.
- (7) Owner's name and current address.
- (8) Location and type of screening or landscaping, when required.

(9) Other information required by the Planning Agency or by this chapter.

**Complete** (m) *Application of parking and loading regulations.* Parking and loading regulations shall apply to all buildings and uses of land established after June 8, 1996.

**NA** (n) *Parking of commercial vehicles or equipment.* No commercial vehicles, trailers or equipment shall be parked, stored or otherwise contained in a RR or RT district unless in a completely enclosed structure, or unless they are being used in conjunction with a legitimate service being rendered for the benefit of the residential premises.

**NA** (o) *Parking and storage of vehicles.* Automotive vehicles or trailers of any kind or type without current legal license plates or those inoperable shall not be parked or stored on any property zoned C, RR or RT other than in completely enclosed buildings.

(p) *Required number of on-site parking spaces.* On-site parking areas of sufficient size to provide parking for patrons, customers, suppliers, visitors and employees shall be provided on the premises of each use. The minimum number of required on-site parking spaces are as follows:

(1) Auto sales, trailer sales, marine and boat sales, implement sales, garden supply store, building materials sale, auto repair: Six (6) parking spaces for the first 500 square feet, plus one (1) space for each additional 1,000 square feet of display area.

(2) Automobile service station: Three (3) for each service stall, plus one (1) parking space for each attendant on the major shift.

(3) Churches: One (1) parking space for each three (3) seats, based on the design capacity of the main seating area.

(4) Golf course, golf clubhouse, country club, swimming club, tennis club, public swimming pool: 50 parking spaces.

(5) Nursing home: One (1) parking space for each four (4) beds, plus one (1) parking space for each three (3) employees on the major shift.

(6) Multiple dwelling or manufactured home park: Two (2) parking spaces per dwelling unit, apartment unit or manufactured home site.

(7) Motel or motor hotel: One (1) parking space for each rental room or suite.

(8) Municipal administration buildings, community center, public library, museum, art galleries, post office, public service buildings, convention halls, arenas etc.: 10 parking spaces, plus one (1) parking space for each 500 square feet of floor area in the principal structure.

(9) Professional offices, office buildings, animal hospital, retail and service establishments: One (1) parking space for each 250 square feet of gross floor area.

(10) Restaurant, café, nightclub, tavern or bar: One (1) parking space for each four (4) seats based on design capacity, plus one (1) parking space for each two (2) employees.

(11) Single-family dwelling: Two (2) parking spaces per dwelling unit. Garage spaces will count toward fulfilling this requirement.

(12) Storage, wholesale/warehouse establishments, research, experimental or testing stations: One (1) parking space for each employee on the major shift or one (1) parking space for each 300 square feet of gross floor area within the building, whichever is the greater.

(q) *Required number of on-site loading spaces.* The minimum number of off-street loading and unloading spaces are as follows:

**We have a 60' x 12' cement pad for vendors to park while they unload.**

(1) Retail stores, service establishments and office buildings: One (1) space for the first 10,000 square feet of gross floor area and one (1) space for each additional 50,000 square feet of gross floor area.

(2) Nursing homes, etc.: One (1) space, plus one (1) additional space for each 100,000 square feet of gross floor area.

(3) Restaurants: One (1) space for structures over 10,000 square feet of gross floor area.

(4) Manufacturing, fabrication, warehousing, storing, etc.: One (1) space for each 30,000 square feet of gross floor area.

# CONDITIONAL USE PERMIT PROPOSAL - SEC 24-310 Transportation Management Plan



**TRAFFIC FLOW** 

## **PARKING:**

PARKING ACCOMODATION FOR UP TO 99 GUESTS. Minimum 50 spots which is approx .375 acres or 6,100 sq feet. 100' x 60' would be the minimum size lot required.

1. Off-street Parking - All parking with take place on our property
2. The Mitigation of Overflow Parking - we have multiple "lots" to accomodate parking.
3. Traffic Circulation - Traffic will enter from main entrance and use the driveway to pull into lot.
4. Traffic Control - Ballard Creek's Owner + staff will faciliate parking and traffic control before, during and after events.
5. The Impact of the Facility on Surrounding Roadways - very minimal to no impact will occur on surroundngn roadways as there is more than adeqaute parking and events will be kept under 99.



## Blue Earth County - Property & Environmental Resources

P.O. Box 3566, Mankato, Minnesota 56002-3566

Phone: (507) 304-4381

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### Planning Application Reviews

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<b>Date Printed:</b>	September 30, 2020	<b>Permit Number:</b>	PL2020099
<b>Property Owner:</b>	QUAST TIM & LINDSEY	<b>Applicant:</b>	QUAST TIM & LINDSEY
<b>Parcel Number:</b>	R35.14.29.300.006	<b>File ID:</b>	PC 21-20

**Application Description:** Request for review and approval of an Interim Use Permit to operate a Reception/Banquet/Meeting facility. The property is zoned Agricultural and is located in the Southeast Quarter of the Southwest Quarter of Section 29, Decoria Township.

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#### Septic Review

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**Status:** Complete - Comments Received

**Comments:** The septic system serving the existing house and shop are compliant and it appears the parcel has adequate space for a secondary drainfield location when needed. The proposed conditional use permit does not seem to negatively impact the current septic situation on the property. No additional requirements at this time. Anderson Jesse 09/21/2020 11:36 AM

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#### Well Review

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**Status:** Complete - Comments Received

**Comments:** The enclosed site plan indicate an in-use well located between the house and the old barn and the properly sealed well located just south a tennis court which was previously located on this property. A review of the County records indicates that the in-use well, unique # 712073, was drilled in 2005 and the sealed well, unique # H255477, was sealed in 2007. A magnetometer search was conducted which provided evidence that a possible additional well may be located between these two known wells. The applicant stated that the area showing a 3000 point hit with the magnetometer is where the power line from the house to the barn is located. Consultation with the MDH on these magnetometer results indicate that this 3000 point magnetometer point may need to be dug out to verify that it is not an old buried unused well. The proposed conditional use permit request does not appear to negatively impact the known well situation on this property. grant 09/30/2020 12:13 PM

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#### Wetland Review

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**Status:** Complete - Comments Received

**Comments:** The main wetland concern for this site relates to the proposed parking areas. The soils near these proposed parking areas are classified as moderately well drained. There are no NWI identified wetlands near the proposed parking, and topography does not suggest the presence of wetlands in these areas. Based on an aerial photo review, it does not appear that an Interim Use Permit to operate the proposed Reception/Banquet/Meeting facility to accommodate up to 99 guests, should not negatively impact any wetlands that may exist on or near the site. Altrichter Kristine 09/21/2020 9:07 AM

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## A-6 Applicable Sections from the County Ordinances

### Division 2. A AGRICULTURE DISTRICT

#### Sec. 24-112. - Uses

(c) *Interim uses.* The following uses may be allowed in the A district as an interim use as regulated in Article II of this chapter.

16) Reception/banquet/meeting halls/retreat centers or facilities as regulated in section 24-331.

#### Sec 24-331 Reception/Banquet/Meeting Halls/Retreat Centers or Facilities

This subsection addresses the performance standards for the establishment and operation of reception/banquet/meeting halls/retreat centers or facilities.

(a) Information shall be submitted to the Planning Agency in the form of a business/operations plan. Said plan shall include information regarding the services offered, types of facilities, sanitary sewer and waste disposal facilities, hours of operation and other issues relevant to the proposed use.

(b) Total maximum floor space area shall be no larger than 10,000 square feet.

(c) Retail Sales areas may include up to 10% of the floor space of the building, but may not exceed 1,000 square feet.

(d) Meal preparation areas must be licensed and approved by the Minnesota Department of Health.

(e) Bars, including lounges, nightclubs, on-sale liquor establishments, restaurants, cafés or taverns are prohibited.

(f) Lodging, camping and overnight accommodations are prohibited.

(g) The offering of food and alcohol shall only be provided by offsite catering services.

(h) Discharging of firearms is prohibited.

(i) Allowable signage shall be limited to an illuminated 32 square foot sign located on the property.

(j) There shall be no indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line.

(k) Sites not serviced by an approved community water and sewage system must comply with county, state and federal waste disposal requirements.

(l) A transportation management plan shall be submitted to address off-street parking, the mitigation of overflow parking, traffic circulation, traffic control and the impact of the facility on surrounding roadways per Sec. 24-310.

(m) A review by the Planning Agency of the conditional use permit requirements will be mandatory within 30 days of any ownership change of property or lease agreement.

(n) Any proposed change in operation or services offered shall first receive approval of an updated conditional use permit.

**Property Owners**

Dale & Cheryl Koestler  
56887 100<sup>th</sup> Street  
Wells, MN 56097

**Applicant**

Daniel Schoneck  
10238 614<sup>th</sup> Ave  
Minnesota Lake, MN 56068

**Request and Location**

Request for review and approval to amend the official zoning map of Blue Earth County by rezoning Lot 1 Block 1 of the Koestler Subdivision located in Section 4, Beauford Township, from Highway Business to Rural Townsite.

**Legal Description**

The property involves Lot 1 Block 1 of the Koestler Subdivision located in part of the Southwest Quarter of the Southeast Quarter of Section 4, Beauford Township

**Zoning**

The parcel involved with this request is currently zoned Highway Business.

**General Site Description and Project Proposal**

The applicant is in the process of purchasing the 0.87-acre parcel that consists of an old ag coop/convenience store and parking area. The applicant has stated he would like to convert the existing building into a residential unit. A single-family dwelling is not an allowed use in the Highway Business District; therefore, the applicant is requesting to rezone the property to Rural Townsite.

In 2008 the property was rezoned from Rural Townsite to Highway Business to accommodate a convenience store. Prior to 2008 the property was zoned Rural Townsite and also was the location of an agricultural coop.

The bordering properties include the following uses and zoning classifications:

- North: Grassland, Woodland, and a single-family dwelling that is zoned Light Industry.
- East: Cropland that is zoned Rural Townsite.
- South: Multiple dwellings zoned Rural Townsite
- West: Cropland that is zoned Highway Business.
- Northwest: A warehouse and auto salvage yard zoned Highway Business

See Attachment A-2 & A-3

### **Project Outcome**

If the proposed map amendment is approved, future use of the property would be subject to the permitted and conditional uses allowed within the Rural Townsite District. The applicant has stated that he would like to convert the building into a residential unit.

### **Access**

There are currently two access points to the property from State Highway 22. County staff has received comments from the Minnesota Department of Transportation (MnDOT). Those comments can be found later in the report.

### **Land Use Plan**

The County Land Use Plan includes a development goal that states the County will support orderly growth and limit the development of uses that may eventually require the extension of urban utilities outside of municipal areas. This development goal is supported by a development objective to consider development that can be constructed with minimal impact to existing natural and built systems. The rezone to a less intensive use would likely not require an extension of urban utilities, whereas a Highway Business use would potentially need urban utilities. This request would also be completed with very minimal impacts to existing natural and built systems due to the fact that the applicant will be utilizing the existing building on the property.

## **NATURAL RESOURCES INFORMATION**

### **Topography**

The topography of the area within the proposed map amendment boundary is fairly flat.

### **Floodplain**

The nearest area of FEMA mapped floodplain is approximately 950 feet to the west. See Attachment A-4

### **Shoreland**

The nearest area of Shoreland Overlay District of the Cobb River is just over 1,500 feet to the west. See Attachment A-5

### **Township Review**

In an email dated September 4, 2020, Gail Jaeger, the Clerk for Beauford Township stated that the applicant was present at their September 1<sup>st</sup> meeting. Ms. Jaeger indicated all township board members approved of the request as long as all County regulations are followed.

### **MnDOT Review**

In an email dated September 29<sup>th</sup>, 2020, Angela Piltaver, a MnDOT Senior Planner stated that because the proposal is to rezone to a district that is less intensive, the applicant shall remove one of

the two accesses at the time of construction/renovation. With private development or redevelopment, the landowner or developer is responsible for any required modifications or removals of the access on the state truck highway system, along with restoration of the ditch to ensure positive drainage. In order to perform any work in the state trunk highway right-of-way, a permit from MnDOT is required. The applicant shall contact MnDOT District 7 to get information and a permit.

### **Environmental Health Review**

The septic system serving the property is shared with the neighboring property and located on a separate parcel not owned by the applicant. Before a construction permit is issued the following will need to be completed; a septic compliance inspection, receive a septic operating permit, record a new septic agreement, and the conversion shall not exceed 3 bedrooms. The well that serves the property is also located on the property to south. A shared well agreement shall also be recorded will all properties involved. There were not any concerns with wetlands on the property.

## **CODE OF ORDINANCES REVIEW**

### **Sec. 24-46 Chapter and map amendments.**

- (a) Amendment procedure.
  - (1) *Initiation of an amendment.* This chapter may be amended whenever the public necessity and the general welfare require such amendment by following the procedure specified in this section. Proceedings for amendment of this chapter shall be initiated by a land use development application to amend this chapter and:
    - a. A petition of the affected property owners. For purposes of this subsection, affected property owners shall refer to owners of the property specified on the application.
    - b. A recommendation of the County Planning Commission.
    - c. By action of the Board of Commissioners.
  - (2) *Application.*
    - a. *Generally.* Application for an amendment shall be made to the Zoning Administrator, together with the required fees.
    - b. *Site plan required.* The application shall be accompanied by a site plan and such additional information as determined by Blue Earth County Environmental Services as necessary to show compliance with this chapter.
    - c. *Time deadline for agency action.* All applications shall be processed in conformance with Minn. Stats. § 15.99 generally known as the 60-day rule.
  - (3) *Notification and public hearing.*
    - a. *Publication.* At least 10 days in advance of each public hearing the Zoning Administrator shall cause a notice of the time and place of such hearing to be published in the official newspaper of the county.
    - b. *Notification.* All property owners of record within 500 feet of incorporated areas and/or one-half (1/2) mile of unincorporated areas or to the 10 properties nearest to the affected

property, whichever would provide notice to the greatest number of owners of unincorporated areas where the map amendment is proposed shall be notified by depositing a written notice in the U.S. mail, postage prepaid, as to the time and place of the public hearing. All municipalities within two (2) miles of the proposed map amendment shall be given proper notice.

- c. *Omission in notification.* The Zoning Administrator shall be responsible for proper publication of notices and notification to adjacent property owners. However, an error in the published notice of public hearing or failure to notify a specific property owner of the application for a map amendment shall not be considered cause to declare the public hearing invalid.
- d. *Public hearing.* Upon receipt, in proper form, of the application and other requested material, the County Planning Commission shall hold at least one (1) public hearing in a location to be prescribed by the Planning Commission or Zoning Administrator in compliance with Minn. Stats. § 15.99 and Minn. Stats. § 394
- (4) *Planning Commission's findings and recommendation.* Following the public hearing, the County Planning Commission or Zoning Administrator shall make a report of its findings and recommendations on the proposed amendment and shall forward a copy to the Board of Commissioners for action.
- (5) *Board of Commissioners approval required.* For each application for a map amendment, the County Planning Commission or Zoning Administrator shall report to the Board of Commissioners findings and recommendations, including the stipulation of additional conditions and guarantees that such conditions will be complied with when they are deemed necessary for the protection of the public interest. Upon receipt of the report of the Planning Commission or Zoning Administrator, the Board of Commissioners shall hold public hearings upon the amendment as it deems advisable. After the conclusion of the hearings, if any, the Board of Commissioners may adopt the amendment or any of its parts in such form as it deems advisable. The amendment shall be effective only if a majority of all members of the Board of Commissioners concur in its passage.
- (6) *Resubmittal of an ordinance or map amendment request following denial by the Board of Commissioners.* If a request for an ordinance or map amendment is denied by the Board of Commissioners, no new application shall be accepted by the Zoning Administrator for a 12-month period following denial if it is substantially the same as, or similar to, the amendment which was denied by the Board of Commissioners. The imposition of this 12-month period is intended to give the applicant time to reconsider the appropriateness of the proposal, to address concerns, and to encourage dialogue between the applicant and affected neighboring landowners. The Zoning Administrator may accept a new application, if in his or her opinion, new evidence or a change in conditions warrants it.
- (7) *Recording.* Upon the adoption of any other official control, including any maps or charts supplemented to or as a part thereof, the Zoning Administrator shall file a certified copy

with the land records department for record. Ordinances, resolutions, maps or regulations filed with the land records department pursuant to this chapter do not constitute encumbrances on real property.

### **Proposed Findings**

After completing the necessary research for this proposal, staff has developed the following proposed findings for consideration by the Planning Commission and County Board.

1. The applicant intends to convert the existing building on the property into a residential unit. Approval of a map amendment to rezone the property to Rural Townsite will allow for this conversion.
2. The uses of surrounding properties are compatible with uses allowed in the Rural Townsite Zoned District.
3. The proposed map amendment is consistent with the County Land Use Plan's Development Objective to consider development that can be constructed with minimal impacts to existing natural and built systems.
4. The property lies adjacent to others that are zoned Rural Townsite. Therefore, the proposed map amendment is not an example of Spot Zoning which can be defined as "the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners." (Anderson's American Law of Zoning)

### **Recommendation**

Staff recommends **APPROVAL** of the request for a Map Amendment to rezone Lot 1 Block 1 of the Koestler Subdivision located in part of the southwest quarter of the southeast quarter of Section 4, Beauford Township from Highway Business to Rural Townsite with the following conditions.

1. A septic compliance inspection shall be completed and submitted to Blue Earth County Property & Environmental Resources prior to the issuance of a construction permit.
2. A septic operating permit shall be issued by the Blue Earth County Property & Environmental Resources Department prior to the issuance of a construction permit.
3. A septic easement agreement with all affected property owners shall be recorded at the Blue Earth County Recording Office prior to the issuance of a construction permit.

4. That the conversion of the existing building shall not exceed three bedrooms while on the existing shared septic system.
5. A construction permit shall be issued prior to any structural changes to the building, including the addition of bedrooms.

**Attachments**

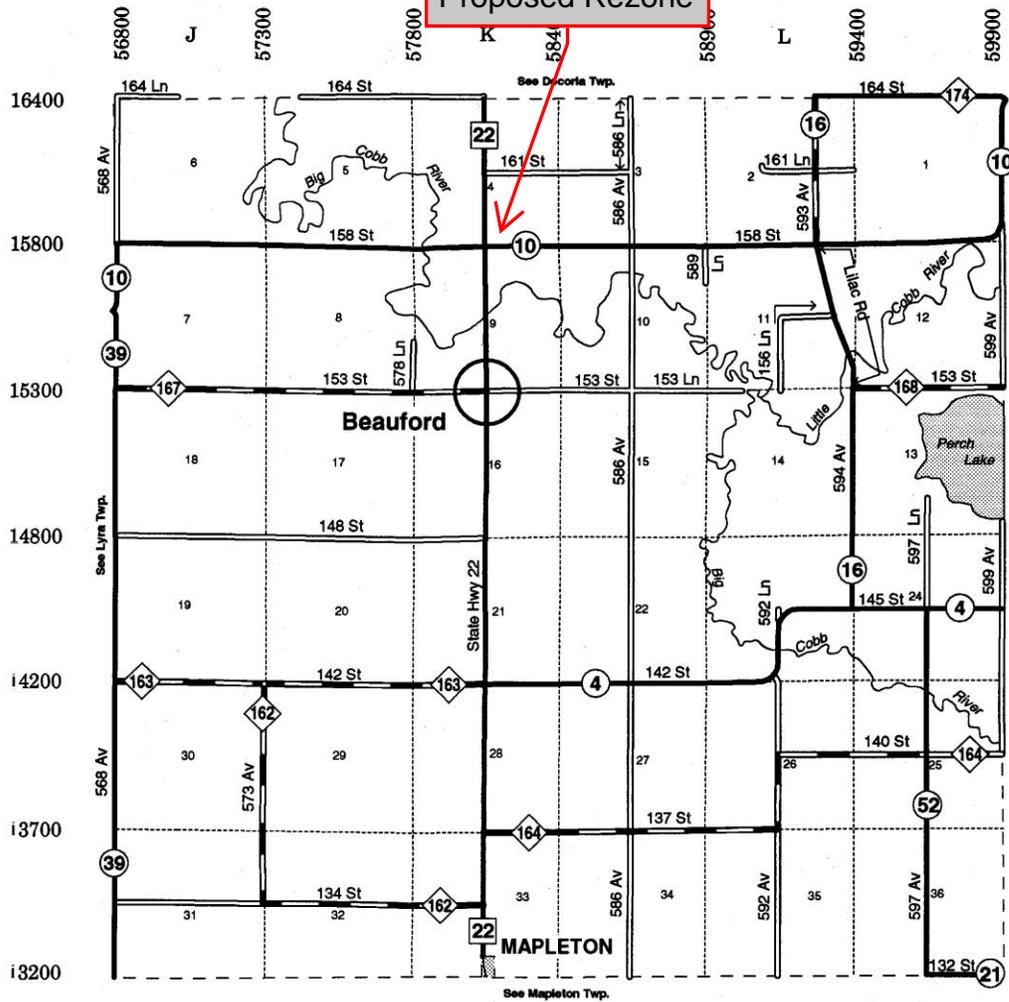
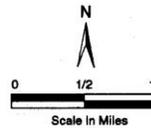
- A-1 General Location Map
- A-2 Existing Zoning Map
- A-3 Proposed Zoning Map
- A-4 Floodplain Map
- A-5 Shoreland Map
- A-6 Environmental Health Review
- A-7 Sec. 24-192. Rural Townsite District Uses

## Attachment A-1 General Location Map

# Beauford

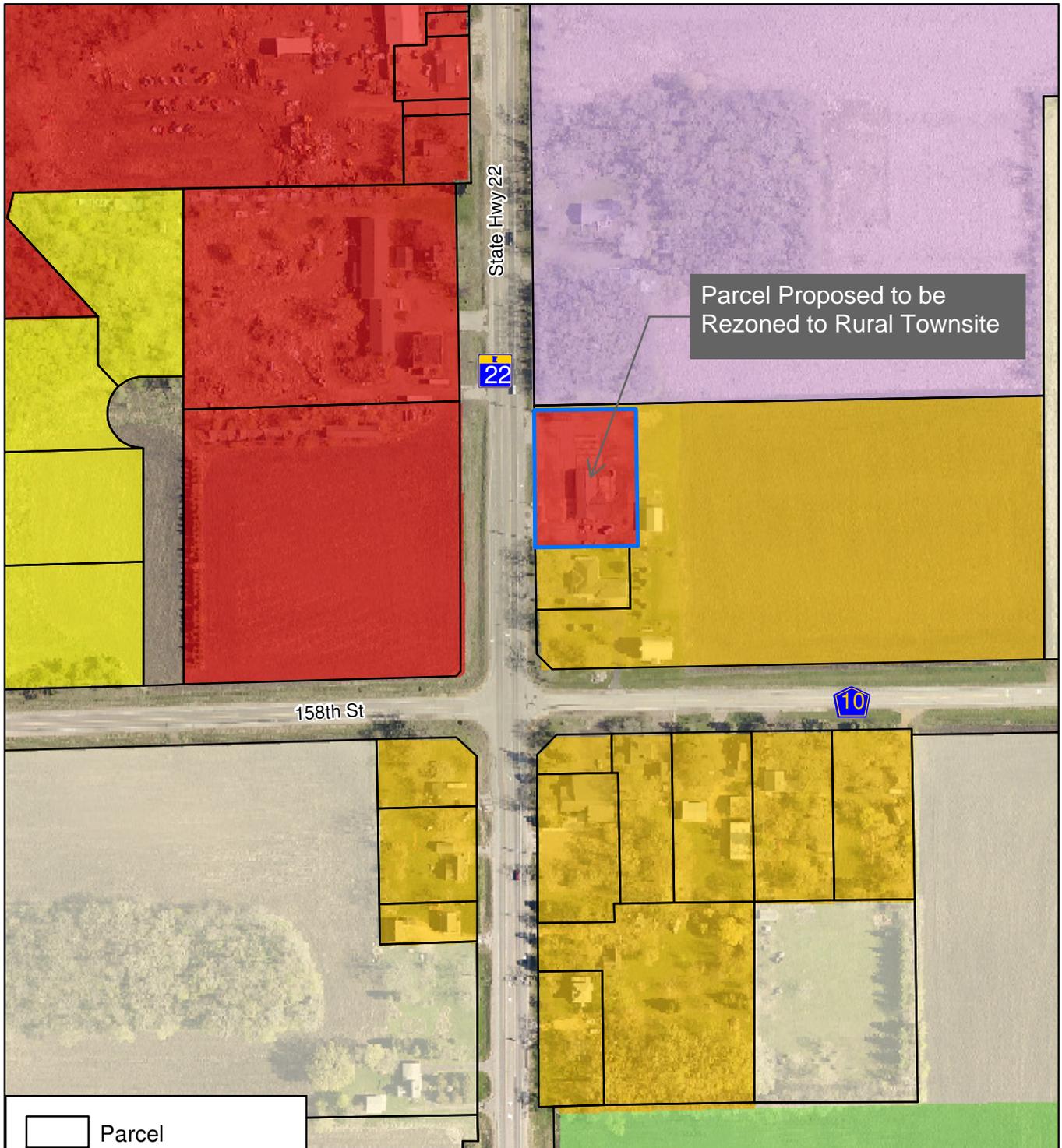
T 106 N - R 26 W

Location of the  
Proposed Rezone



	U.S. Highway		Township Road
	State Highway		Railroad
	County State Aid Highway		Section Line
	County Road		Township Boundary

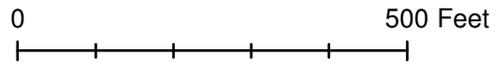
# Attachment A -2 Existing Zoning



Parcel

**Zoning**

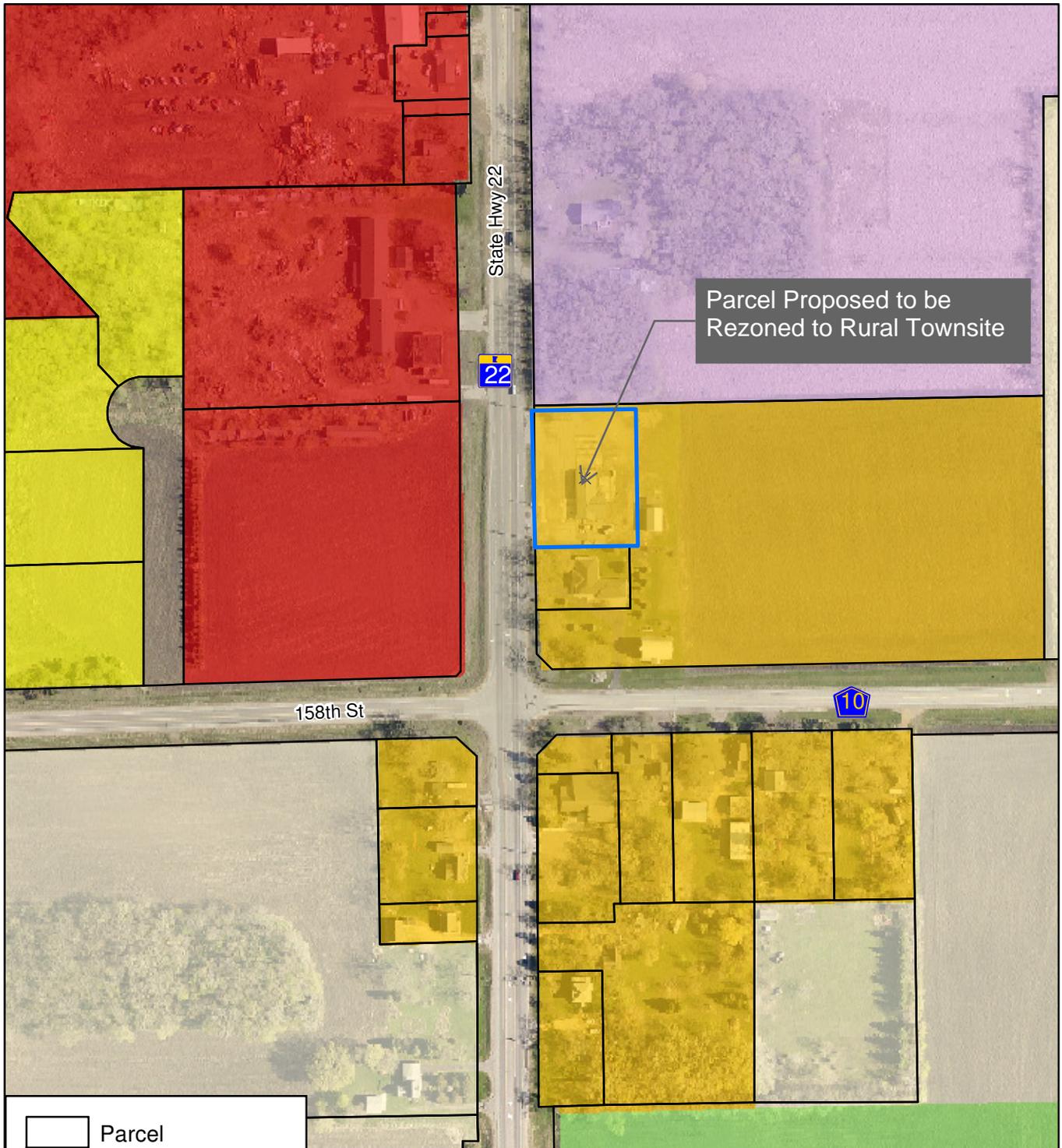
- Agriculture
- Conservation
- Rural Townsite
- Rural Residence
- Highway Business
- Light Industry



Prepared By: Blue Earth County Property & Environmental Resources  
October 2020

*Disclaimer: Blue Earth County Property & Environmental Resources Department may provide information to the public "as is" without warranty of any kind, expressed or implied, regardless of its format or the means of its transmission. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability of the data for any purpose. In no event will Blue Earth County or its employees be liable to anyone for damages arising from the use of the property data. The user of data assumes responsibility for the installation and use of the results obtained from the data. If you have questions about this map please contact the Property & Environmental Resources Office at (507) 304-4381.*

# Attachment A -3 Proposed Zoning



Parcel  
**Zoning**  
 Agriculture  
 Conservation  
 Rural Townsite  
 Rural Residence  
 Highway Business  
 Light Industry

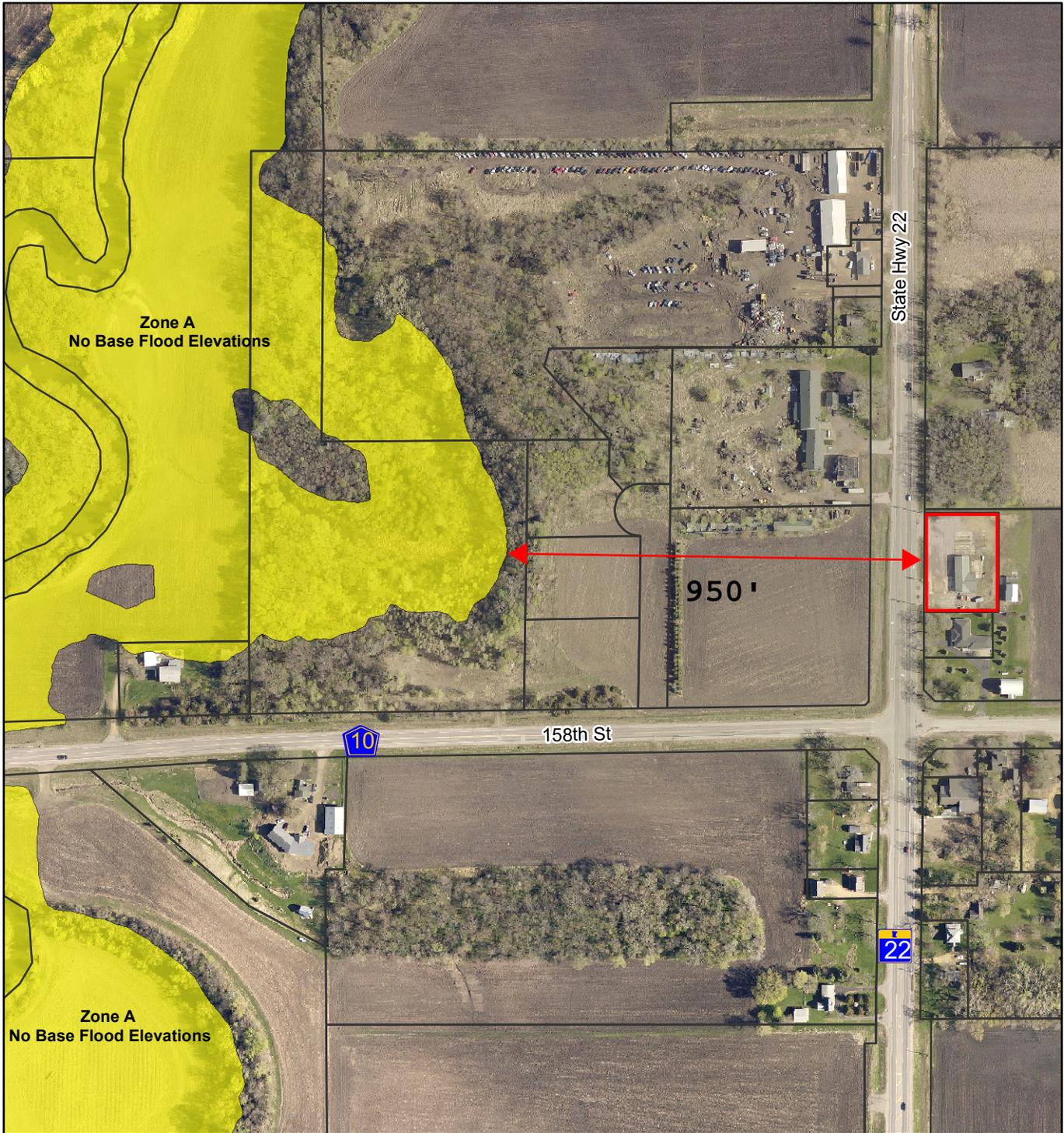


Prepared By: Blue Earth County Property & Environmental Resources  
October 2020

*Disclaimer: Blue Earth County Property & Environmental Resources Department may provide information to the public "as is" without warranty of any kind, expressed or implied, regardless of its format or the means of its transmission. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability of the data for any purpose. In no event will Blue Earth County or its employees be liable to anyone for damages arising from the use of the property data. The user of data assumes responsibility for the installation and use of the results obtained from the data. If you have questions about this map please contact the Property & Environmental Resources Office at (507) 304-4381.*

Preliminary Flood Insurance Rate Map

April 20, 2011 Draft Data

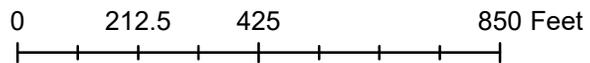


**Special Flood Hazard Area  
(1% Chance Annual Flood)**

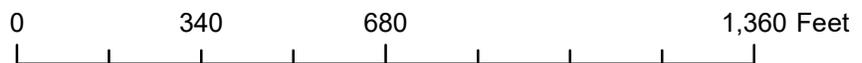
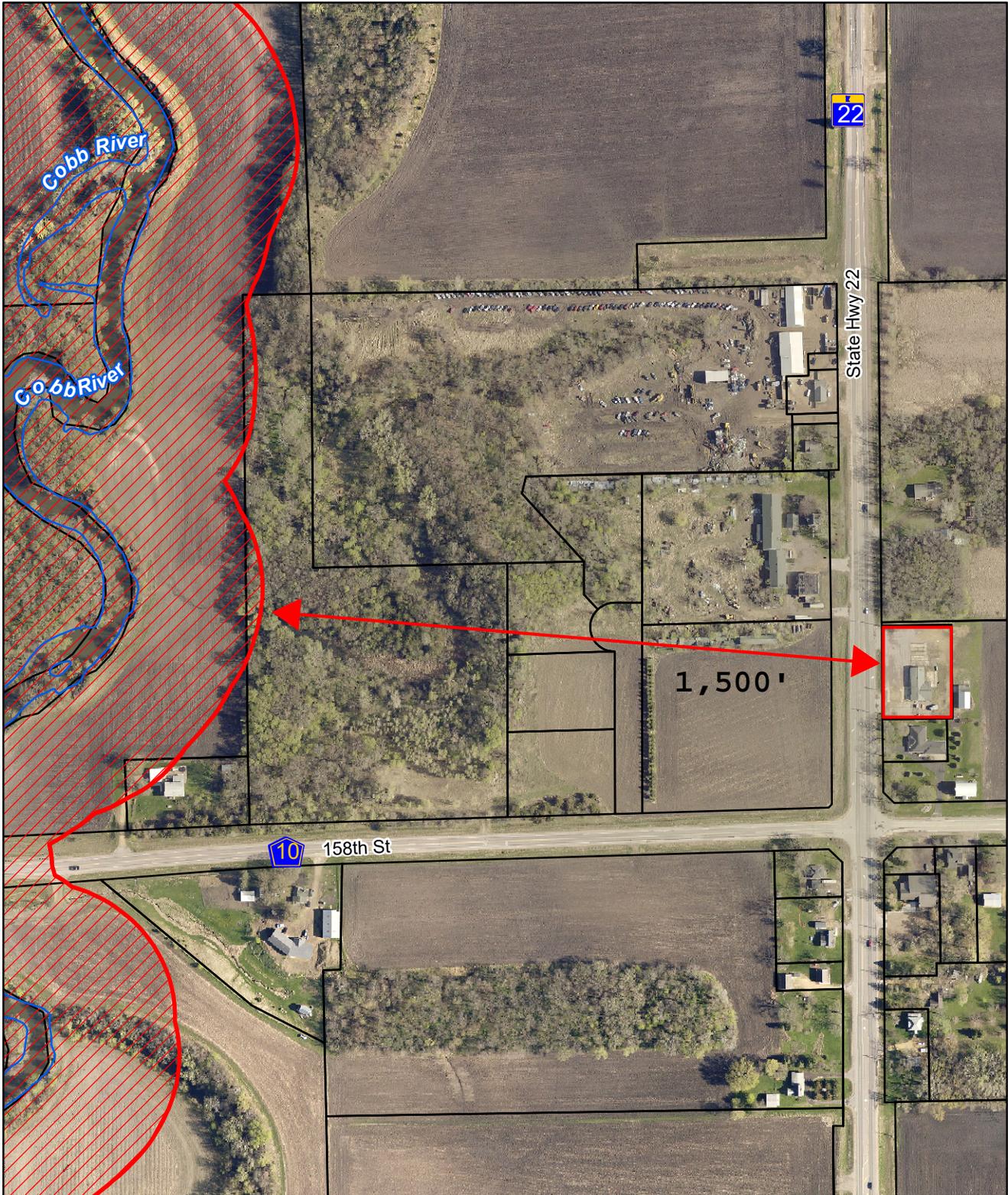
- Zone AE - Floodway
- Zone AE - Floodfringe
- Zone A - No Base Flood Elevations
- Zone D

**Other Flood Areas - Zone X**

- Zone D
- 0.2 % Chance Annual Flood Hazard
- Area Protected By Levee



# Attachment A-5 Shoreland Overlay Map



*Disclaimer: Blue Earth County Property & Environmental Resources Department may provide information to the public "as is" without warranty of any kind, expressed or implied, regardless of its format or the means of its transmission. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability of the data for any purpose. In no event will Blue Earth County or its employees be liable to anyone for damages arising from the use of the property data. The user of data assumes responsibility for the installation and use of the results obtained from the data. If you have questions about this map please contact the Property & Environmental Resources Office at (507) 304-4381.*

# Attachment A-6 Environmental Health Review

## Blue Earth County - Property & Environmental Resources

P.O. Box 3566, Mankato, Minnesota 56002-3566

Phone: (507) 304-4381

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### Planning Application Reviews

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**Date Printed:** October 01, 2020      **Permit Number:** PL2020103  
**Property Owner:** KOESTLER DALE & CHERYL      **Applicant:** SCHONECK DANIEL D  
**Parcel Number:** R30.19.04.451.006      **File ID:** PC 23-20

**Application Description:** Request to amend the official zoning map of Blue Earth County by rezoning the Koestler & Hislops Subdivisions located in Section 4, Beauford Township from Highway Business to Rural Townsite.

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### Septic Review

**Status:** Complete-Condition Required

**Comments:** The rezoning from highway business to rural town site should not pose any negative effects on the current septic system as long as some requirements are met before the construction permit is issued. The requirements are an septic compliance inspection, septic operating permit, maximum of 3 bedroom residential conversion, recorded septic easement agreement. Anderson Jesse 09/16/2020 8:41 AM

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### Well Review

**Status:** Complete - Comments Received

**Comments:** The enclosed site map for this rezone application does not indicate any well information for this property. A review of the records indicates that this property is served by a shared well located on an adjoining property. A shared well agreement should be made and recorded with all of the properties involved with the well. This proposed rezone does not appear to negatively impact the known well situation on this property. grant 09/21/2020 8:57 AM

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### Wetland Review

**Status:** Complete - Comments Received

**Comments:** Based on an aerial photo review, this proposed rezoned from Highway Business to Rural Townsite should not negatively impact any wetlands that may exist on or near the site. The soils are classified as poorly drained, however, there are no NWI identified wetlands and the topography does not suggest the presence of wetlands near the parcel proposed to be rezoned. Altrichter Kristine 09/15/2020 3:43 PM

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# Attachment A-7

## Section 24-192 Rural Townsite Uses

Sec. 24-192. - Uses.

- (a) *Permitted uses.* The following uses are permitted in the RT district:
- (1) Accessory uses customarily incidental to the permitted and conditional uses listed in subsections (a) and (b) of this section.
  - (2) Churches.
  - (3) Essential services including structures or facilities
  - (4) Existing agriculture and incidental agriculture related uses, including farm dwellings, and agricultural buildings, but excluding confined feedlots.
  - (5) Flood control and watershed structures.
  - (6) Golf courses, except clubhouses.
  - (7) Non-commercial wind energy conversion systems as regulated in section 24-333.
  - (8) Nursing home.
  - (9) Parks, recreational areas, wildlife areas, game refuges and forest preserves owned by governmental agencies.
  - (10) Private swimming pools when completely enclosed within a chainlink or similar security fence at least six feet high.
  - (11) Public and private schools.
  - (12) Removing or filling up to 50 cubic yards of fill that is not in connection with another permitted or conditional use and shall be reviewed by the planning agency.
  - (13) Seasonal produce sale stands as regulated in section 24-332.
  - (14) Single-family dwellings.
  - (15) Two-family dwellings.
  - (16) Small solar energy systems. Small solar energy systems are not allowed in floodplains.
- (b) *Conditional uses.* The following uses may be allowed in the RT district, subject to the provisions of Article II of this chapter:
- (1) Cemeteries, memorial gardens.
  - (2) Conversion of existing common interest communities, resorts, manufactured home parks, and other similar pre-zoning ordinance nonconforming developments pursuant to Minn. Stats. § 515A and 515B, Minn. Stats. § 327C, where applicable, and requirements of sections 24-354 and 24-47(3).
  - (3) Golf club houses.
  - (4) Level I home occupations as regulated in section 24-326.
  - (5) Manufactured home parks containing manufactured homes constructed and installed according to requirements of Minn. Stats. §§ 327.31-327.35 (Minnesota Manufactured Home Building Code), connected to municipal water and sewer, and as regulated in section 24-308.
  - (6) Municipal administration buildings, police and fire stations, community center buildings, public libraries, museums, post offices and other municipal service buildings.
  - (7) Multiple-family dwellings.
  - (8) Planned unit development as regulated in article V of this chapter.
  - (9) Public swimming pools, when completely enclosed by a chain link or similar security fence at least six feet in height.

- (10) Railroad rights-of-way, but not including railroad yards.
- (11) Removing or filling over 50 cubic yards of fill that is not in connection with another permitted or conditional use.
- (12) Water supply buildings, reservoirs, elevated tanks and similar essential service buildings.
- (13) Other uses deemed by the planning agency to be of the same general character as those listed as permitted and conditional uses listed in subsections (a) and (b) of this section.
- (14) Large solar energy systems. Large solar energy systems are not allowed in floodplains.

(Ord. of 2-28-2012; Ord. of 2-16-2016)

**Applicant**

Lee Bohrer  
306 Terrace View W  
Mankato, MN 56001

**Request and Location**

Request for review and approval of an Interim Use Permit to allow the stockpiling of up to 700 cubic yards of fill. The proposed fill will be used for backfilling around future structures and septic drainfield areas on the property. The property is zoned Rural Townsite and is within the Urban Fringe Overlay District of the City of Mankato. The location includes Lots 15 and 16 of the Terrace View Subdivision in the southwest quarter of the northwest quarter of Section 4, Decoria Township.

**Legal Description**

Lots 15 and 16 of Terrace View Subdivision in the Southwest quarter of the Northwest quarter of Section 4, Decoria Township.

**Zoning**

Rural Townsite

**General Site Description and Project Proposal**

The project area includes parts of Lots 15 and 16 of Terrace View Subdivision. Both lots consist of .344 acres. The proposed project includes stockpiling 500-700 yards of black dirt. The dirt will be leveled off and sloped to the road ditch. The applicant has indicated that the maximum height will not exceed 4 feet. The applicant will create a swale between the stockpile and the neighbor to the east. The pile will immediately be seeded. If seeding is not possible due to frozen conditions, the applicant will use proper sediment control to limit runoff until seeding is possible. The applicant proposes to distribute the soil in 2021 or 2020 for the construction of a new dwelling on the site.

**Project Outcome**

If approved, the applicant will stake the project limits, install all necessary erosion control, and begin stockpiling of soil. See Attachment A-3

**Land Use Plan**

The current Land Use Plan, adopted in 2018 includes the following:

Natural Resources Objective:

3. Stormwater and stormwater runoff should be managed to prevent or minimize flooding, pollution, erosion and sedimentation in downstream receiving waters, drainage areas or property.

Land Use Objective:

4. Preserve the health, safety, and welfare of all residents and the environment in Blue Earth County

**Existing Land Use within ¼ Mile**

North: Terrace View Golf Course

South: West Terrace View (a Township Road) and Agricultural Land

East: 13 Residential Dwellings

West: 2 Residential Dwellings, West Terrace View (a Township Road), and Agricultural Land

**Access**

There is no change in access being proposed. Access to and from this property will continue to be W Terrace View.

**NATURAL RESOURCES INFORMATION**

**Topography**

The topography of the site is best described as flat. In the immediate area of the proposal the topography appears to be consistent in elevation. See Attachment A-4

**Floodplain**

There are no areas of mapped FEMA Floodplain within one-mile of this proposal. Therefore, no attachment was included.

**Shoreland**

The project area is not within the Shoreland Overlay District, so no attachment was included.

**Township Review**

The applicants appeared before the Decoria Township Board on September 8, 2020. Decoria township approved the request as presented, provided they make a swale along the most easterly side to the top of the ditch to the road to prevent water runoff, and that erosion control and seeding are utilized.

**Environmental Health Review**

See Attachment A-5

**APPLICABLE SECTIONS OF THE COUNTY ORDINANCES**

**Sec. 24-3 Definitions and word usage**

*Filling* means any soil, earth, sand, gravel, rock or any similar material deposited, placed, pushed, pulled or transported and shall include the conditions resulting there from.

*Grading* means changing the natural or existing topography of the land.

**Sec. 24-192 Rural Townsite District Uses**

(c) *Interim Uses:*

- (4) Removing or filling over 50 cubic yards of fill that is not in connection with another permitted or conditional use.

**Sec. 24-304 Erosion Control**

(d) *Erosion and sediment control*

- (1) Erosion and siltation control measures shall be coordinated with the different stages of development. Appropriate control measures shall be installed prior to development when necessary to control erosion...
- (4) Whenever possible, natural vegetation shall be retained and protected.
- (6) When soil is exposed, the exposure shall be for the shortest feasible period of time. No exposure shall be planned to exceed 60 days. Such time period may be extended only if the Planning Commission is satisfied that adequate protective measures have been established and will remain in place.

(e) *Exposed Slopes*

- (4) Exposed slopes shall be protected by whatever means will effectively prevent erosion considering the degree of slope, soils material and expected length of exposure. Slope protection shall consist of mulch, sheets of plastic, burlap or jute netting, sod blanket, erosion mat, fast growing grasses or temporary seeding of annual grasses. Mulch consists of hay, straw, wood chips, corn stalks, bark or other protective material. Mulch should be anchored to slopes with liquid asphalt, stakes and netting, or worked into the soil to provide additional slope stability.

(f) *Filling*

Filling in excess of 500 cubic yards of fill in the A and C District and in excess of 50 cubic yards of fill in the RR and RT Districts; that is not in connection with any other permitted use, except when constructing an approved sanitary subsurface sewage treatment system, shall require a conditional use permit.

**STANDARDS FOR GRANTING AN INTERIM USE PERMIT**

**Sec. 24-47 Planning Commission**

(f) *Findings required.*

- 1) *Enumeration.* The Planning Commission shall not forward a recommendation of approval for a conditional use permit unless they find the following facts at the hearing where the applicant shall present a statement and evidence in such form as the Planning Agency may require:
  - a. That the proposed use conforms with the county land use plan.
  - b. The demonstrated need for the proposed use.
  - c. That the proposed use will not degrade the water quality of the county.
  - d. That the proposed use will not adversely increase the quantity of water runoff.
  - e. That soil conditions are adequate to accommodate the proposed use.
  - f. That the proposed use does not create a potential pollution hazard.
  - g. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
  - h. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

- i. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.
- j. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
- k. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.
- l. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
- m. That the density of proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable zoning district.
- n. That the intensity of proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district.
- o. That site-specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals and general welfare.

### **Proposed Findings of Facts**

*(The proposed findings below are directly related to the above standards, labeled, items a-o)*

After careful review of the project and all associated documents, staff has developed the following suggested findings for this project:

- a. That the proposed use conforms with the county land use plan.  
*The County Land Use Plan includes a Natural Resources Objective that states: Stormwater and stormwater runoff should be managed to prevent or minimize flooding, pollution, erosion and sedimentation in downstream receiving waters, drainage areas or property. The Plan includes a Land Use Objective that states: Preserve the health, safety, and welfare of all residents and the environment in Blue Earth County. With proper covering and future establishment of vegetation, and with proper erosion control, the proposal should not conflict with the County Land Use Plan.*
- b. The demonstrated need for the proposed use.  
*The applicant has stated his intention of blending the topography of the future house into the septic drainfield with the distributing the proposed fill.*
- c. That the proposed use will not degrade the water quality of the county.  
*With proper seeding or covering and with proper erosion control the proposed use should not degrade the water quality of the county.*

- d. That the proposed use will not adversely increase the quantity of water runoff.  
*Following the removal of the cover of the stockpile and the establishment of vegetation, the proposed project will not increase the amount of impervious surface on the entire property. Therefore, it seems unlikely that the project would adversely increase the quantity of water runoff.*
- e. That soil conditions are adequate to accommodate the proposed use.  
*Most of the site includes soils that are classified as very poorly drained with a small area classified as poorly drained. County Environmental Health staff have indicated this proposed filling should not negatively impact any wetlands that may exist on or near the site. Adding the fill could potentially impact the neighboring properties by reducing the pervious ground coverage. If the project area is re-vegetated and erosion control measures are installed and maintained until the vegetation can secure the soil, it seems likely that the onsite soil conditions are adequate to support the proposed use.*
- f. That the proposed use does not create a potential pollution hazard.  
*The applicant has stated the fill source is clean and uncontaminated soil.*
- g. That adequate utility, access roads, drainage and other necessary facilities have been or are being provided.  
*The township review of the proposal requested that a swale be constructed on the east side of the fill area leading to top of the ditch to the road to prevent water runoff. A condition is recommended to require installation of this swale with the project.*
- h. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.  
*This standard does not apply to this request.*
- i. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.  
*This standard does not apply to this request.*
- j. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.  
*The proposed stockpile will be distributed over the site as part of a future development of the lots. The applicant has indicated this will take place within the 2021 or 2022 construction season. Therefore, it seems unlikely that this project would be injurious to the use and enjoyment of the properties in the immediate vicinity.*
- k. That the establishment of the interim use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.  
*The proposed use does not create any additional setback requirements for a residential structure and does not require additional permits in order to be commenced. Therefore, it*

*seems unlikely that this project would impede the development of surrounding vacant property in the area.*

- l. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. *Once completed, the proposed use should not generate any of the listed issues which could constitute a nuisance. Therefore, it is unlikely that this proposed fill project would create any disturbance for the neighboring property owners.*
- m. That the density of proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable zoning district. *The eventual development of the site is not greater than the density allowed by the Rural Townsite zoned district.*
- n. That the intensity of proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district. *This standard does not apply to this request.*
- o. That site-specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals and general welfare. *The protection of the public's health, safety, morals and general welfare are addressed in the conditions recommended below.*

### **Recommendations**

Staff recommends **APPROVAL** of the request to allow a temporary fill stockpile of approximately 700 yards with the following conditions:

1. That the limits of the project shall not exceed the limits shown on the site plan. The area must be staked prior to stockpiling.
2. All necessary erosion control measures shall be installed prior to the commencement of this proposed project. This may include mulch berms of appropriate height and width, erosion control logs that are properly placed, or silt fence that is properly staked and trenched in. The erosion control shall remain in place until vegetation is sufficiently established.
3. Within 10 days of the establishment of the fill area, all exposed areas, including areas damaged by trucks and equipment shall be properly covered. Said cover shall be properly secured to remain functional until the area is to be seeded. If the project area is to be dormant seeded and covered with erosion control mats/blankets, said erosion control

mats/blankets shall be properly secured and remain in place until vegetation is adequately established.

4. Vegetation shall consist of the applicant's proposed Kentucky Tall Fescue or other seed mix suited for the soil types. The fill area shall be maintained in a condition to prevent weeds from becoming a nuisance.
5. That a swale be incorporated into the fill area as requested by the township to direct water toward the road ditch.
6. The stockpile shall be distributed over the site or removed prior to December 1, 2021.

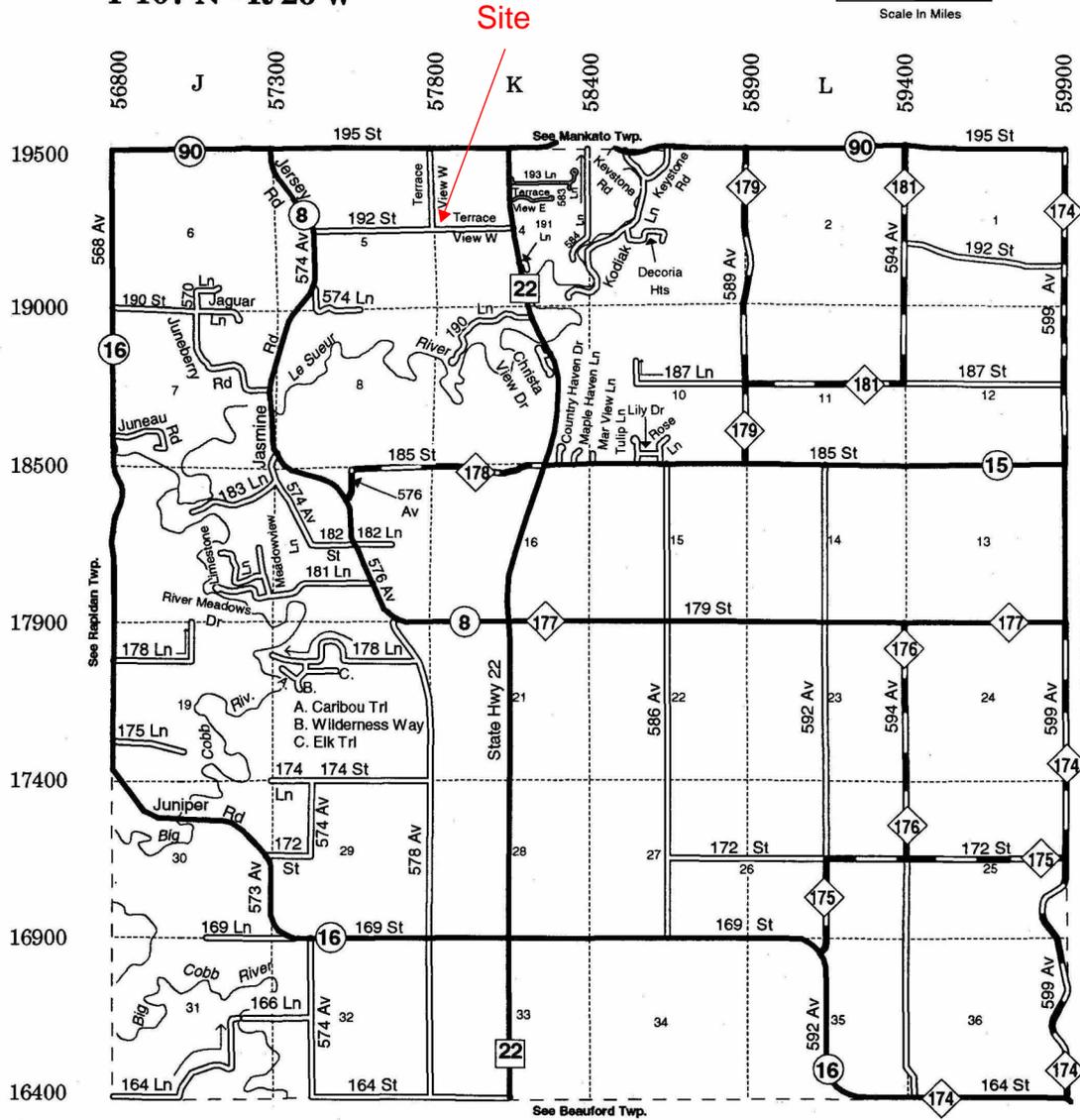
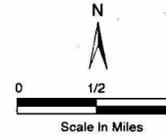
**Attachments**

- A-1 General Location Map
- A-2 Site Map
- A-3 Applicant's Fill Plan
- A-4 Topography Map
- A-5 Environmental Health Review

**Attachment A-1  
General Location Map**

# Decoria

**T 107 N - R 26 W**



	U.S. Highway		Township Road
	State Highway		Railroad
	County State Aid Highway		Section Line
	County Road		Township Boundary



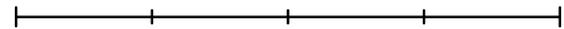
Properties involved

W Terrace View

 Parcel



0

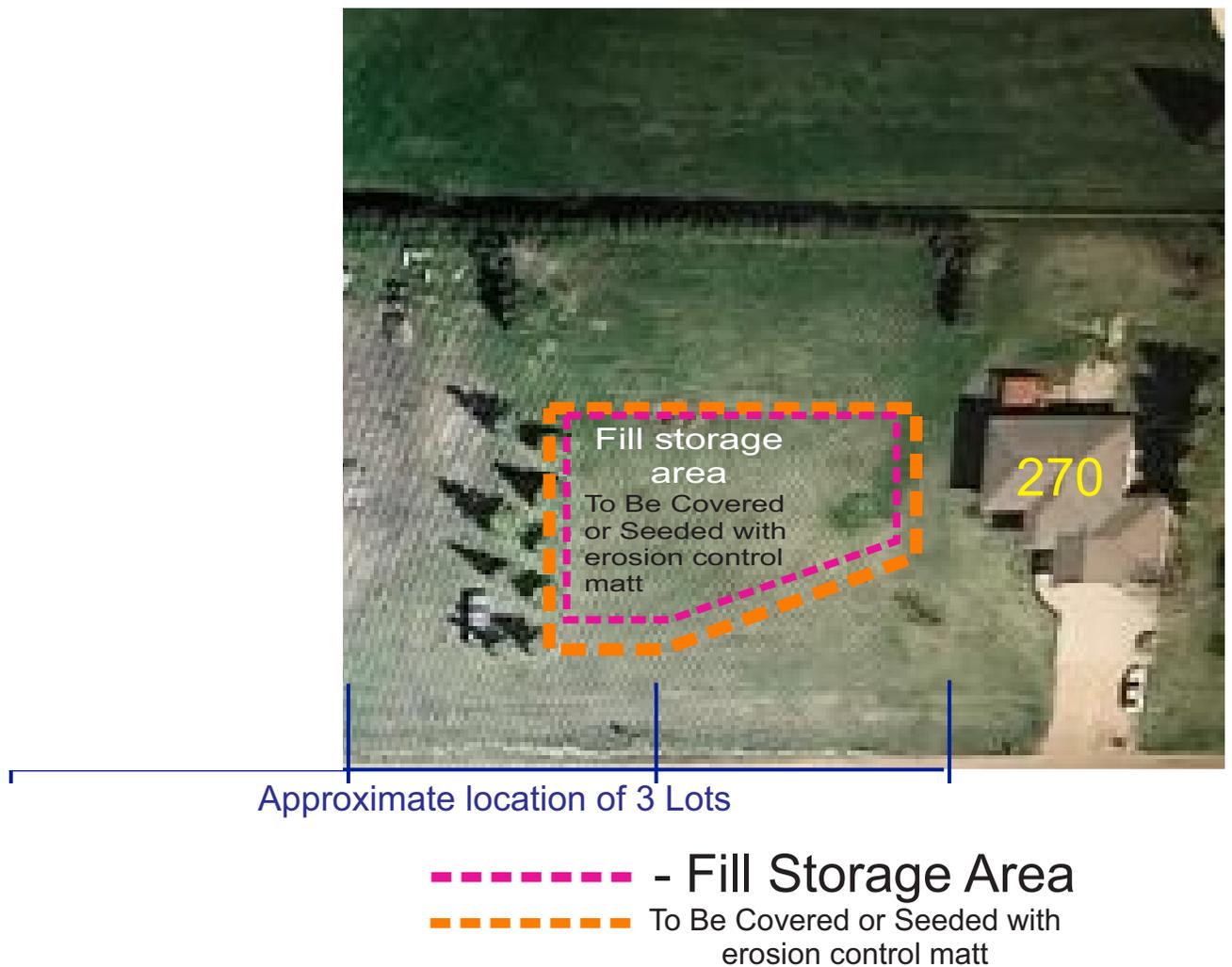


250 Feet

*Disclaimer: Blue Earth County Property & Environmental Resources Department may provide information to the public "as is" without warranty of any kind, expressed or implied, regardless of its format or the means of its transmission. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability of the data for any purpose. In no event will Blue Earth County or its employees be liable to anyone for damages arising from the use of the property data. The user of data assumes responsibility for the installation and use of the results obtained from the data. If you have questions about this map please contact the Property & Environmental Resources Office at (507) 304-4381.*

Request for fill permit for future build site at 286 Terrace View W - Mkto Lee Bohrer residence 306 Email [jetrclean@aol.com](mailto:jetrclean@aol.com)  
Between 500 - 700 yds Approx. Distributed in 2021 or 2022

Estimate: 2-4 days for completion of hauling fill.  
Then weather related - should take 1- 2 weeks to Seed area. If to cold for cover to grow then area will be covered with plastic tarps untill spring. Covering with plastic should only take day or 2.



# Questions

Lee,

Your submittal has been reviewed by other staff members and the following questions came up:

1. What are the dimensions of the pile? Please consult with your contractor to find out the width, length and height of the temporary stockpile.
2. Were you able to ask the contractor for verification that it is clean fill?
3. What type of seed mix are you proposing to use?
4. How will the proposed stockpile stormwater and snowmelt impact neighboring properties?
5. We also have concerns with how the runoff from the final distribution of the fill might impact neighboring property owners.

Please get back to us ASAP.

George Leary | PLANNING & ZONING

## Answers

1. The Black Dirt that will be hauled out to my extra lots will not exceed my property . I also do not anticipate piles as suggested.  
The Black Dirt will be leveled off and of course sloped to the road ditch. The height will not axceed the height of the road Approx 3-4 ft. I am doing the leveling of the Black Dirt not a contractor.  
I would like to get 500-700 yds of Black Dirt. I do not know what dimensions that would be at 3.5 ft but it should be well with in my extra lots dimensions

## Answers # 2

Kohl's

Black Dirt pile

New Kwik Trip



2. The Black Dirt is coming from the field between Kohl's and the New Kwik Trip on E side of town. You can visually see it is good high quality Black Dirt. I do not want to burden the hauling contractor for Verification . This extra burden may lead to him not wanting to haul it or he may raise his price. If your Staff member is still concerned I suggest a visual inspection or I can bring a sample. I don't think this is an issue - I wouldn't allow contaminated black dirt to my properties. I will be there to verify that.

## Answers # 3



3. This is what I bought on Sale at TSC in Mlcto. If this isn't acceptable please let me know what grass seed is acceptable.
4. The stockpile of Black Dirt will not effect my neighbors property. It will be leveled off and sloped towards the road ditch like all other properties in this area.  
I will also put in a Swale as suggested by Decoria Township between my properties and my neighbor.  
I have spoken with my neighbor and he has no concerns.

## Answers # 5

5. This answer is the same as # 4 but I would like to add  
The final destination is even further from my neighbors and  
can't possibly be an issue.

In summary these concerns should be alleviated once you add in the knowledge that the good quality black dirt is coming from the field behind Kohls which was once a farm field,.

I do not feel comfortable burdoning the hauling contractor for verification to the quality especially when you can visually see the black dirt. I will take full responsibility or liability , for I will make sure its good black dirt.

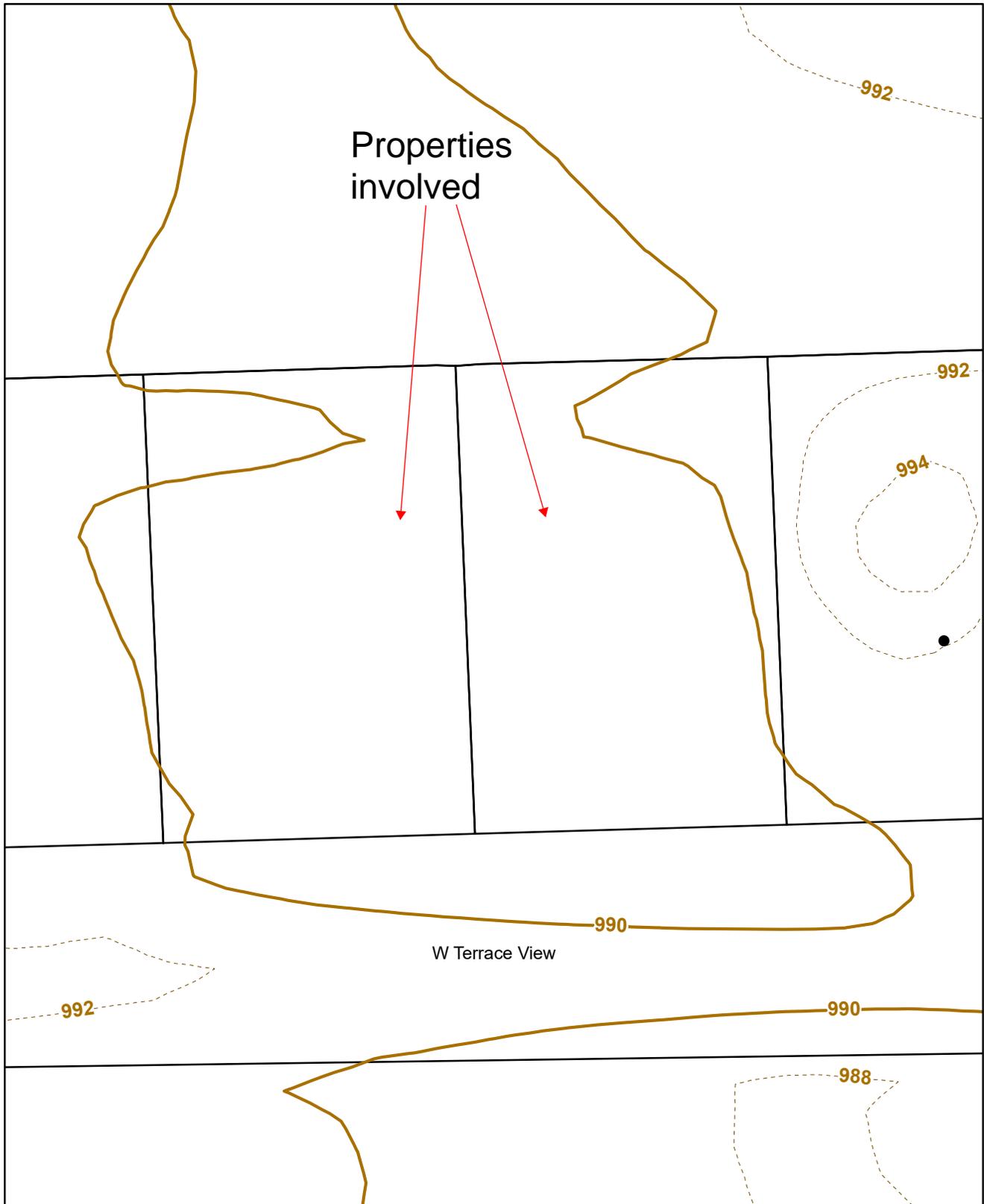
The grass seed type is offered for your review (pic)

Then the leveling and drainage of the black dirt will be done by me and I will ensure it slopes toward the road ditch as it would make no sense to slope it towards my neighbors or any other direction.

I hope these answers help you and your staff understand what will be taking place with the black dirt.

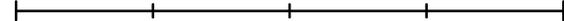
Lee Bohrer

# A-4 Topography Map



 Parcel



0  130 Feet

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# A-5

## Blue Earth County - Property & Environmental Resources

P.O. Box 3566, Mankato, Minnesota 56002-3566

Phone: (507) 304-4381

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### Planning Application Reviews

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**Date Printed:** September 30, 2020      **Permit Number:** PL2020104  
**Property Owner:** BOHRER LEE A & KRISTINE M      **Applicant:** BOHRER LEE A & KRISTINE M  
**Parcel Number:** R35.14.04.151.016R35.14.04.151.017      **File ID:** PC 24-20

**Application Description:** Request for review and approval of an interim use permit to temporarily store up to 700 cubic yards of fill. The proposed fill will ultimately be used for backfilling around future structures and septic drainfield systems. The property is zoned Rural Townsite and is within the Urban Fringe Overlay District of the City of Mankato. The location includes Lots 15 and 16 of the Terrace View Subdivision in the southwest quarter of the northwest quarter of Section 4, Decoria Township.

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#### Septic Review

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**Status:** Complete - Comments Received

**Comments:** No septic system currently on parcels. If there are any bathrooms, laundry, shower/sink waste, or any culinary activities, the sewage from these must go into a code compliant septic system designed for the use. No additional information needed at this time. Anderson Jesse 09/21/2020 11:30 AM

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#### Well Review

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**Status:** Complete - Comments Received

**Comments:** The proposed request to temporarily store fill on an existing building site does not appear to negatively impact the known well situation on the affected lots. These lots are served by a shared well located to the east of this lot. grant 09/21/2020 9:00 AM

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#### Wetland Review

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**Status:** Complete - Comments Received

**Comments:** The soils are mostly classified as very poorly drained with a small area classified as poorly drained. Based on an aerial photo review, this proposed filling should not negatively impact any wetlands that may exist on or near the site. However, adding the fill could negatively impact the neighboring properties by reducing the pervious ground coverage. Altrichter Kristine 09/24/2020 2:39 PM

---

### **Applicants & Property Owners**

Mitch and Carol Abbas  
48229 State Hwy 68  
New Ulm MN 56073

### **Request and Location**

Request for review and approval of the Final Plat of Mitch Abbas Subdivision No. 3. The proposal is a replat of Outlot D of Mitch Abbas Subdivision No. 2 and will consist of one lot and one outlot. The property is zoned agricultural and is located in the East Half of the Southeast Quarter of Section 17, Cambria Township and the West Half of the Southwest Quarter of Section 16, Cambria Township.

### **Legal Description**

Outlot D of Mitch Abbas Subdivision No. 2 located in the East Half of the Southeast Quarter of Section 17, Cambria Township and the West Half of the Southwest Quarter of Section 16, Cambria Township.

### **Zoning**

The property is zoned Agricultural.

### **General Site Description and Project Proposal**

The existing parcel is an outlot of the Mitch Abbas Subdivision No. 2 that was plated in 2018. The site consists of wooded hillsides, prairie land, reclaimed gravel mining areas and an active gravel mining area. The proposed replat of Outlot D will create one lot and one outlot. There is an unused development right in the southeast Quarter of the Southeast Quarter of Section 17. It is in this quarter-quarter section where the building site is proposed.

### **Project Outcome**

If approved, the subdivision will include one lot and one outlot.

- **Lot 1 Block 1** – will include the proposed development, woodland, cropland and prairie land and will have 27.41 acres.
- **Outlot A** – will include wooded hillsides, prairie land and a gravel pit and will have 30.93 acres.

See Attachment A-3 and A-4

### **Existing Land Use within ¼ Mile**

**North:** State Hwy 68, two dwellings, the Dakota, Minnesota and Eastern Railroad, cropland, the Little Cottonwood River and the Minnesota River

**South:** Wooded hillsides, wooded ravine systems and cropland

**East:** Gravel pit, wooded hillsides, the applicant's home and Morgan Creek

**West:** Mitch Abbas Subdivision and the Mitch Abbas Subdivision No. 2, cropland, wooded hillsides and the Little Cottonwood River

**Access**

The access to the building site will be provided by an access easement across neighboring parcels to the west leading to and from Apple Road (a township road).

**Land Use Plan**

The Agricultural Goals and Objectives section of the Land Use Plan includes an implementation action that states: *The County will continue to enforce its dwelling density performance standard of one dwelling unit per quarter-quarter section in the Agricultural Zoned District.* The quarter-quarter section in which the development is proposed has an unused development right. Therefore, this proposal appears to be in harmony with the County Land Use Plan.

**NATURAL RESOURCES INFORMATION**

**Topography**

The topography of the area varies considerably, ranging from relatively flat to areas meeting the definition of a bluff.

**Shoreland**

The platted area is not within the shoreland overlay district. There are nearby shoreland areas of Morgan Creek, the Little Cottonwood River and the Minnesota River. See Attachment A-5

**Floodplain**

The platted area is not within a mapped floodplain area. There are nearby floodplain areas of Morgan Creek, the Little Cottonwood River and the Minnesota River. See Attachment A-6

**Township Review**

The Cambria Township Board has discussed this proposal and has expressed no objections.

**Environmental Health Review**

See Attachment A-7

**CODE OF ORDINANCES REVIEW**

Based on the information submitted by the applicant, contained in this report, and as required in Section 24-47 (f) (l), of the Blue Earth County Code of Ordinances, the following opinions have been developed for this request:

1. That the proposed subdivision conforms with the county land use plan.
2. That the proposed subdivision conforms with the county land division ordinance.
3. That the proposed subdivision will not degrade the water quality of the county.
4. That the proposed subdivision will not adversely increase the quantity of water runoff.

5. That soil conditions are adequate to accommodate the proposed subdivision.
6. That the proposed subdivision does not create a potential pollution hazard.
7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
8. That the proposed subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
9. That the establishment of the proposed subdivision will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

### **RECOMMENDATION**

Staff recommends **APPROVAL** of the **Final Plat** of a subdivision to be known as Mitch Abbas Subdivision No. 3 consisting of one lot and one outlot contingent upon the following conditions:

1. Approved final plat must be recorded within 12 months of receiving final approval from the Planning Commission and Board of Commissioners. Final plat approval shall become null and void 12 months after approval, unless the subdivider applies for and is granted an extension of time by the Planning Commission and Board of Commissioners as set forth in Section 20-141, pertaining to extensions of time.
2. Any discrepancies with the County Mapping or Records office must be resolved prior to recordation of the plat.

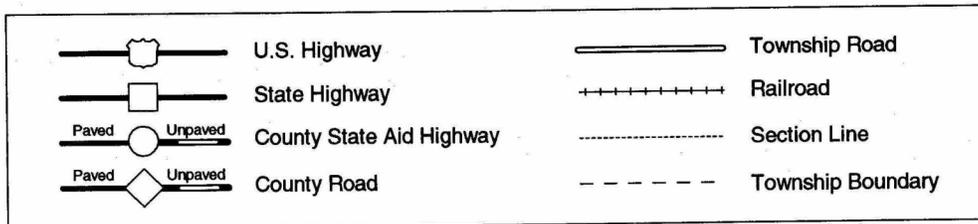
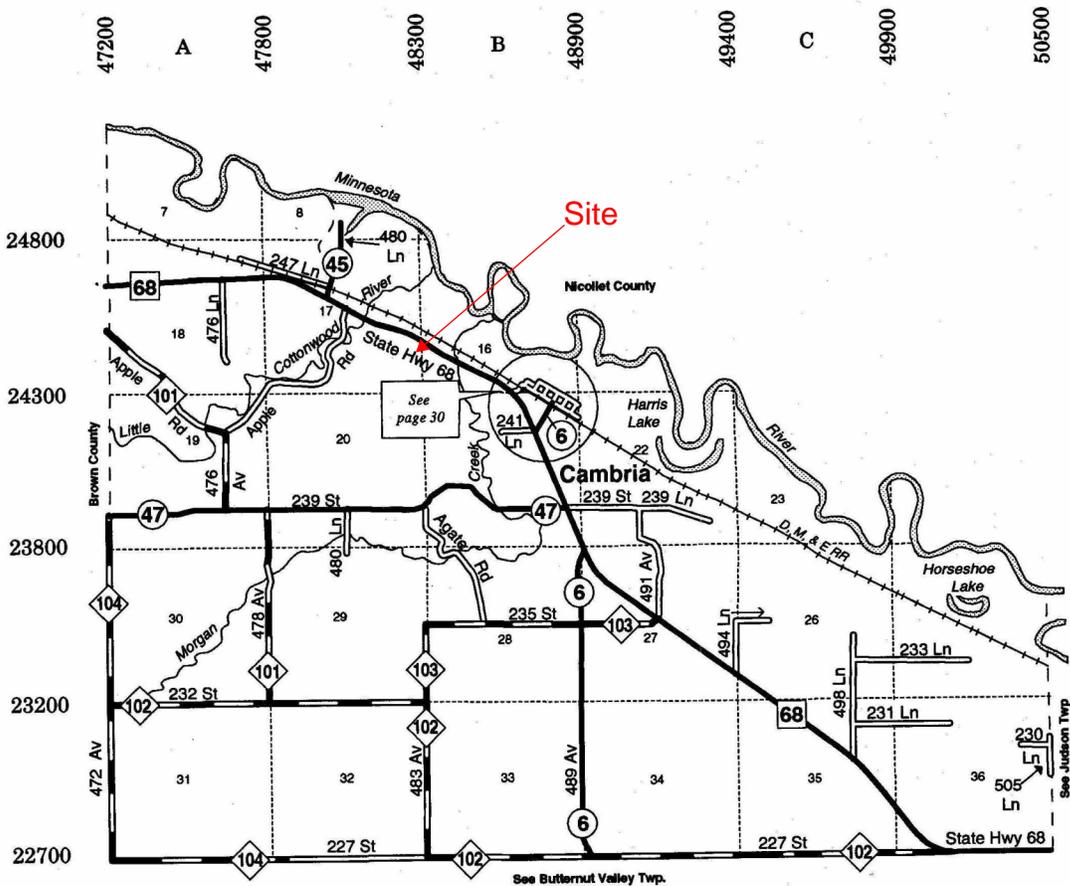
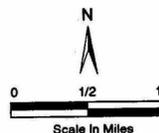
### **Attachments**

- A-1 General Location Map
- A-2 Current Site Map
- A-3 Final Plat
- A-4 Aerial photo of proposed plat
- A-5 Shoreland Map
- A-6 Floodplain Map
- A-7 Environmental Health Review

# Attachment A-1 General Location Map

## Cambria

T 109 N - R 29 W



# Attachment A-2 Current Site Map



 Parcel



0 400 800 1,200 1,600 Feet

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# MITCH ABBAS SUBDIVISION NO. 3

## INSTRUMENT OF DEDICATION

Know all men by these presents that we, Mitchell E. Abbas and Carol A. Abbas, husband and wife, owners of the following described property to wit:

Outlot D, Mitch Abbas Subdivision No. 2, according to the plat thereof on file and of record with the Blue Earth County Registrar of Titles.

do hereby declare that we have caused the above described property to be surveyed and platted and monuments to be set, that we have named said platted area MITCH ABBAS SUBDIVISION NO. 3.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2020 by Mitchell E. Abbas and Carol A. Abbas, husband and wife.

\_\_\_\_\_  
Mitchell E. Abbas  
\_\_\_\_\_  
Carol A. Abbas

## NOTARY CERTIFICATE

State of Minnesota  
County of \_\_\_\_\_

On this the \_\_\_\_ day of \_\_\_\_\_, 2020, before me a Notary Public within and for said County, personally appeared Mitchell E. Abbas and Carol A. Abbas, husband and wife, known by me to be the persons named in the foregoing instrument, and who did acknowledge the same to be their free act and deed.

\_\_\_\_\_  
Notary Public

## SURVEYOR'S CERTIFICATE

I, Michael M. Eichers, Licensed Land Surveyor, do hereby certify that I have surveyed or directly supervised the survey of the property described on this plat; prepared this plat or directly supervised the preparation of this plat of MITCH ABBAS SUBDIVISION NO. 3; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments indicated on this plat have been, or will be, correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of the surveyor's certification are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Michael M. Eichers  
Licensed Land Surveyor  
Minnesota License No. 46564

On this the \_\_\_\_ day of \_\_\_\_\_, 2020, before me a Notary Public in and for said County, personally appeared Michael M. Eichers, and being duly sworn did say that he has executed the foregoing instrument.

\_\_\_\_\_  
Notary Public

## BLUE EARTH COUNTY PLANNING COMMISSION

Be it known that on this the \_\_\_\_ day of \_\_\_\_\_, 2020, the Planning Commission of Blue Earth County, Minnesota did duly review this plat of MITCH ABBAS SUBDIVISION NO. 3.

\_\_\_\_\_  
Chair person: \_\_\_\_\_  
Secretary:

## BLUE EARTH COUNTY BOARD OF COMMISSIONERS

Be it known that on this the \_\_\_\_ day of \_\_\_\_\_, 2020, the County Commissioners of Blue Earth County, Minnesota did duly approve this plat of MITCH ABBAS SUBDIVISION NO. 3 and that as per M.S. 505.03 Subd. 2, this plat has been submitted to and written comments and recommendations have been received from the Commissioner of Transportation.

\_\_\_\_\_  
Chair person: \_\_\_\_\_  
County Administrator:

## BLUE EARTH COUNTY SANITARIAN

Be it known that on this the \_\_\_\_ day of \_\_\_\_\_, 2020, the County Sanitarian of Blue Earth County did duly review this plat of MITCH ABBAS SUBDIVISION NO. 3, and confirmed that two suitable on-site sewage treatment sites exist on the lot based on information submitted by \_\_\_\_\_, an MPCA Certified on-site septic system designer.

\_\_\_\_\_  
County Sanitarian

## TITLE OPINION

I, Paul H. Tanis, Jr., licensed attorney, State of Minnesota, do hereby certify that the owners as indicated hereon have good record title in fee simple absolute and that the public is vested with those right of way rights as indicated on the plat.

\_\_\_\_\_  
Paul H. Tanis, Jr, Licensed Attorney

## TAXPAYER SERVICES DEPARTMENT

I hereby certify that there are no delinquent taxes and/or delinquent special assessments, that the current taxes have been paid and that the transfer has been entered on the land described herein on the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Taxpayer Services Director

## COUNTY REGISTRAR OF TITLES

I hereby certify that this instrument was filed in my office for record on this, the \_\_\_\_ day of \_\_\_\_\_, 2020, at \_\_\_\_ o'clock, \_\_\_\_ m., and that it was duly recorded on \_\_\_\_\_ Plats, Number \_\_\_\_\_

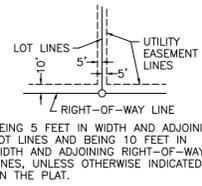
\_\_\_\_\_  
County Registrar of Titles

**FINAL PLAT**  
**PENDING FINAL REVIEW**  
**(08-05-2019)**

**SHEET 1 OF 2**

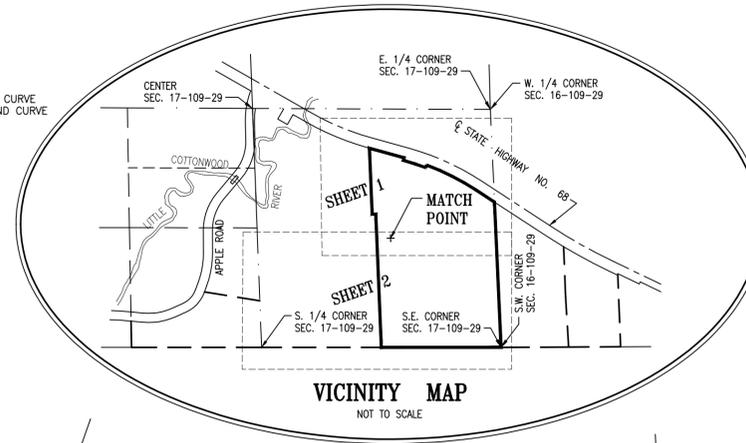
THIS PLAT PREPARED BY BOLTON & MENK, INC.

**LEGEND**  
○ 3/4" IRON PIPE MONUMENT SET  
● MONUMENT FOUND

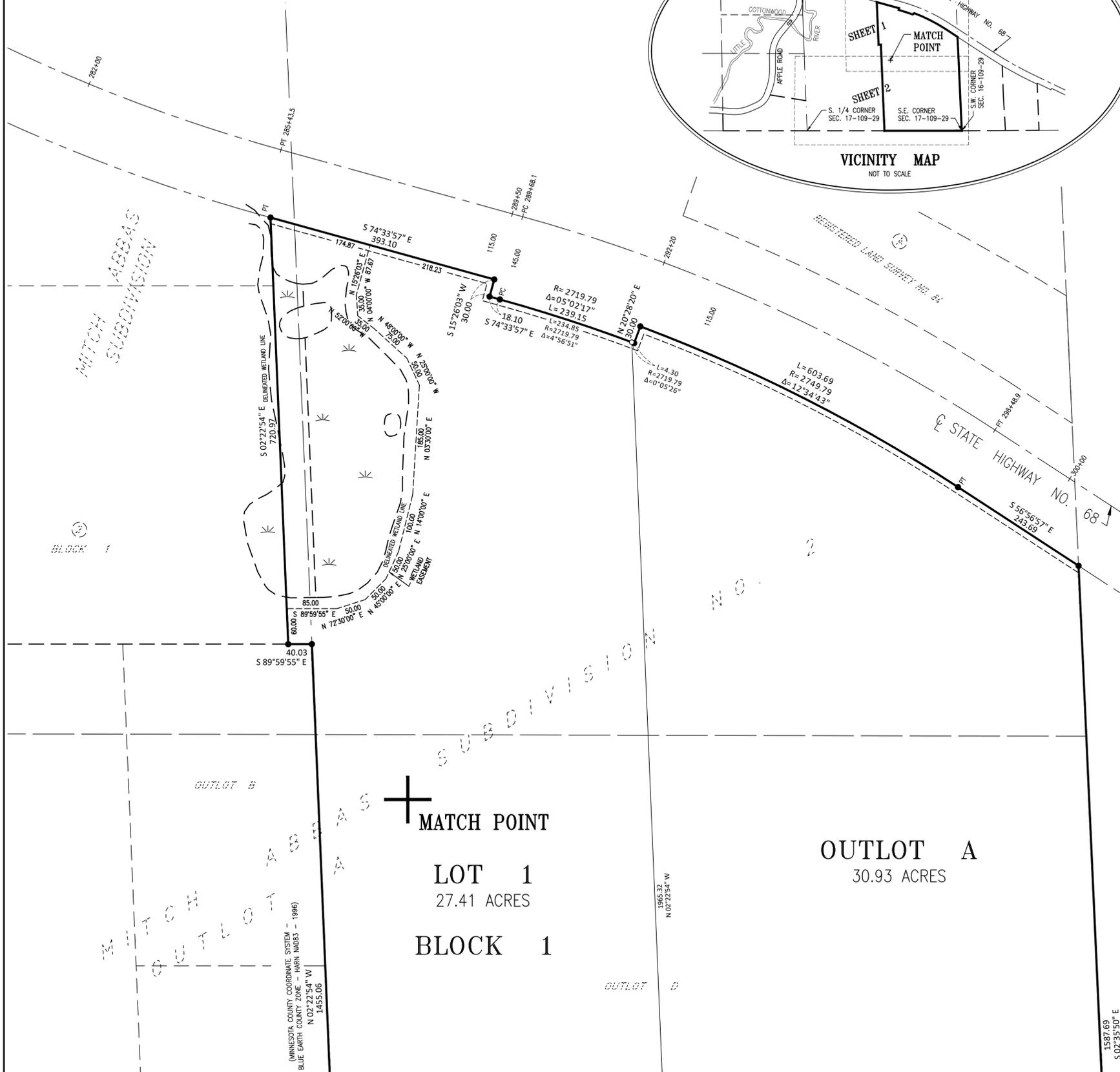


BEING 5 FEET IN WIDTH AND ADJOINING LOT LINES AND BEING 10 FEET IN WIDTH AND ADJOINING RIGHT-OF-WAY LINES, UNLESS OTHERWISE INDICATED ON THE PLAT.

PRC PCC INDICATES POINT OF REVERSE CURVE POINT OF COMPOUND CURVE



VICINITY MAP  
NOT TO SCALE

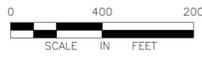






LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY LIC. NO. 46564
- MONUMENT FOUND

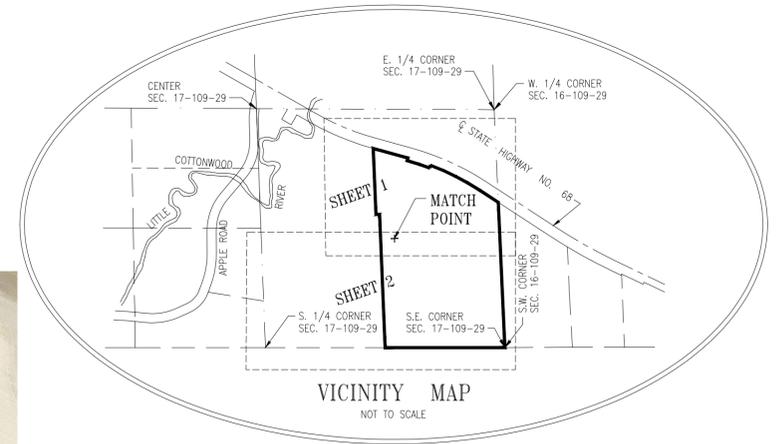


- L=100.00
- R=100.00
- Δ=90°00'00"
- C=100.00
- CB=N 90°00'00"E
- PRC
- PCC

LEGEND

- INDICATES ARC DISTANCE
- INDICATES RADIUS LENGTH
- INDICATES CENTRAL ANGLE
- INDICATES CHORD LENGTH
- INDICATES CHORD BEARING
- INDICATES POINT OF REVERSE CURVE
- INDICATES POINT OF COMPOUND CURVE

# MITCH ABBAS SUBDIVISION NO. 3 PRELIMINARY PLAT



VICINITY MAP  
NOT TO SCALE

DESCRIPTION

Outlot D, Mitch Abbas Subdivision No. 2

PROPERTY CONTAINS 58.34 ACRES

PROPERTY ZONED A

A - AGRICULTURE DISTRICT  
 SETBACK REQUIREMENTS - BLUE EARTH COUNTY  
 BUILDING SETBACKS (PRIMARY STRUCTURE)  
 FRONT 130 FEET FROM § FEDERAL, STATE, COUNTY OF C.S.A.H. R.O.W.  
 SIDE 50 FEET  
 REAR 50 FEET  
 10' SIDE AND 10' REAR SETBACK FOR DRAIN FIELD  
 BLUFF IMPACT ZONE: 30 FEET FROM BLUFF

MINIMUM BUILDABLE AREA = 1.0 ACRE (EXCLUDING SETBACKS)  
 MINIMUM LOT WIDTH = 150 FEET  
 MINIMUM LOT DEPTH = 175 FEET

PROPERTY ZONED C

C - CONSERVATION DISTRICT  
 SETBACK REQUIREMENTS - BLUE EARTH COUNTY  
 BUILDING SETBACKS (PRIMARY STRUCTURE)  
 FRONT 130 FEET FROM § FEDERAL, STATE, COUNTY OF C.S.A.H. R.O.W.  
 SIDE 50 FEET  
 REAR 50 FEET  
 10' SIDE AND 10' REAR SETBACK FOR DRAIN FIELD  
 BLUFF IMPACT ZONE: 30 FEET FROM BLUFF

MINIMUM BUILDABLE AREA = 1.0 ACRE (EXCLUDING SETBACKS)  
 MINIMUM LOT WIDTH = 150 FEET  
 MINIMUM LOT DEPTH = 175 FEET



OWNER:  
ABBAS, MITCHELL  
& CAROL

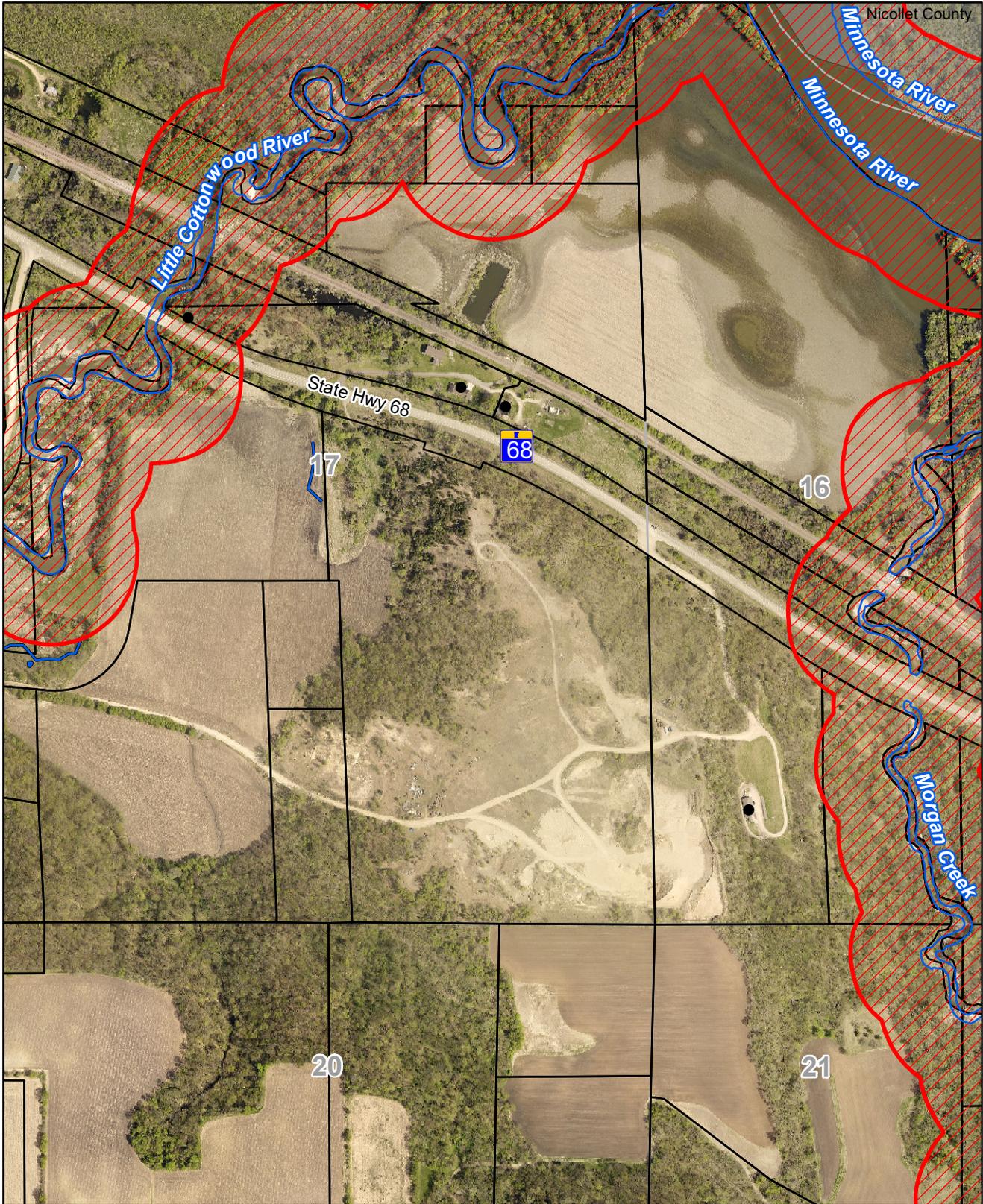
**SURVEYOR'S CERTIFICATION**  
 I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

**NOTE:**  
 18% BLUFF LINE AS SHOWN WAS CALCULATED USING THE BLUE EARTH COUNTY CONTOUR LINES. NO IN-FIELD DATA WAS TAKEN AT THIS TIME.

Michael M. Eichers  
 License Number 46564

THIS PLAT PREPARED BY BOLTON & MENK, INC.

# Attachment A-5 Shoreland Overlay Map



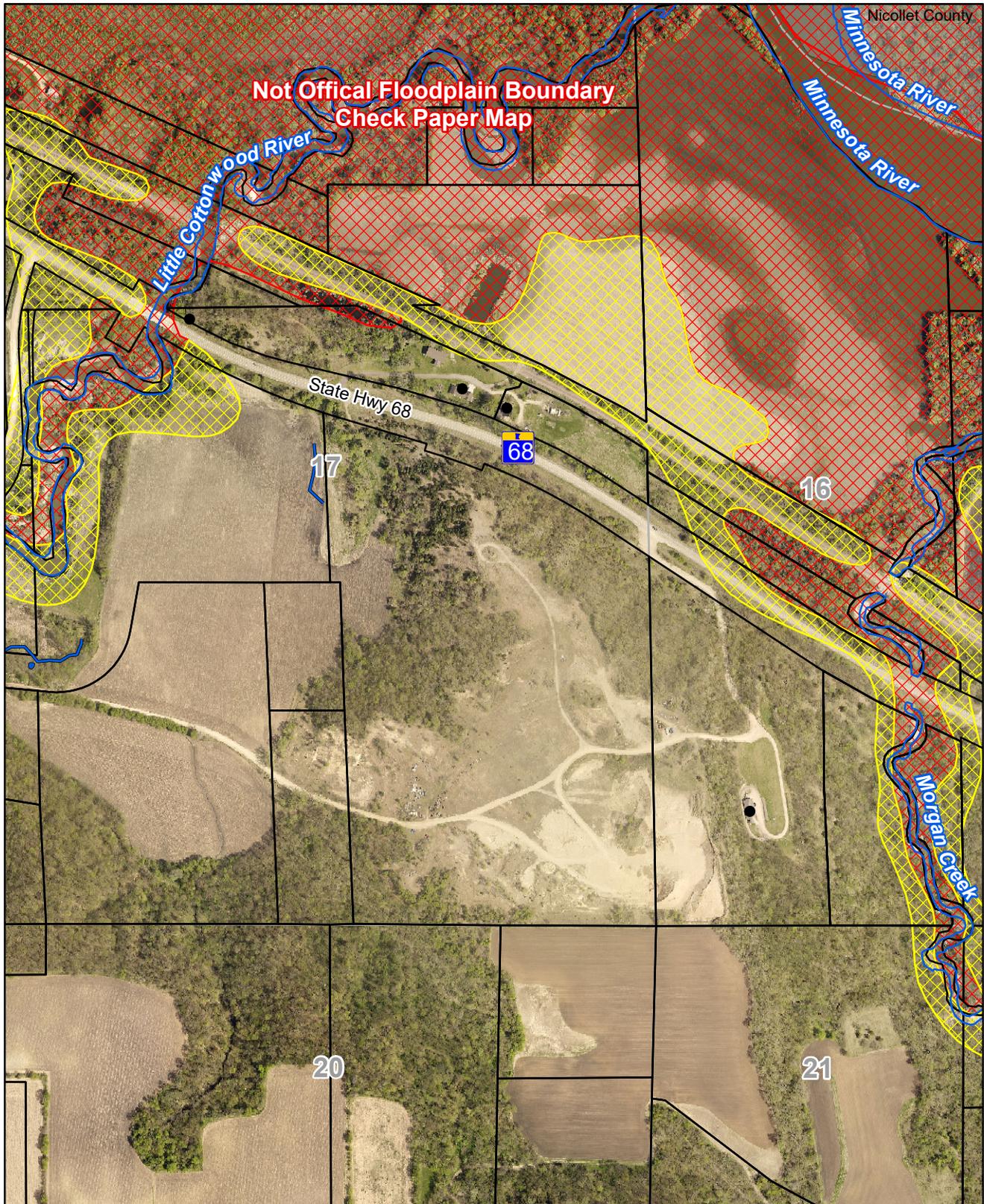
Parcel



0 400 800 1,200 1,600 Feet

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# Attachment A-6 Floodplain Map



Parcel



0 400 800 1,200 1,600 Feet

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**Blue Earth County - Property & Environmental Resources**

*P.O. Box 3566, Mankato, Minnesota 56002-3566*

*Phone: (507) 304-4381*

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**Planning Application Reviews**

---

<b>Date Printed:</b>	September 25, 2020	<b>Permit Number:</b>	PL2020105
<b>Property Owner:</b>	ABBAS MITCHELL E	<b>Applicant:</b>	ABBAS MITCHELL E
<b>Parcel Number:</b>	R32.01.17.400.011	<b>File ID:</b>	PC 25-20

**Application Description:** Request for review and approval of the Final Plat of Mitch Abbas Subdivision No. 3. The proposal is a replat of a portion of the Mitch Abbas Subdivision No. 2 and will consist of one Lot and one Outlot. The property is zoned agricultural and is located in the East Half of the Southeast Quarter of Section 17, Cambria Township.

---

**Septic Review**

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**Status:** Complete - Comments Received

**Comments:** Four septic drainfield locations have been identified for development. No further requirements at this time. Anderson Jesse 09/21/2020 3:53 PM

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**Well Review**

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**Status:** Complete - Comments Received

**Comments:** The enclosed final plat does not indicate the presence of any wells on this property. A review of the records did not reveal any additional evidence that this property contains a well. This final plat does not appear to negatively impact the known well situation on this property. grant 09/21/2020 9:16 AM

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**Wetland Review**

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**Status:** Complete - Comments Received

**Comments:** A wetland delineation was only completed for Lot 1, and did not include outlot A. As such, we do not have any wetland information for outlot A. A wetland delineation for Lot 1 was approved in August 2020 (PL2020069). The delineation found 1.92 acres of wetland on Lot 1 (shown on Plat). Future proposed plans for outlot A may require a wetland delineation. Altrichter Kristine 09/24/2020 4:02 PM

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